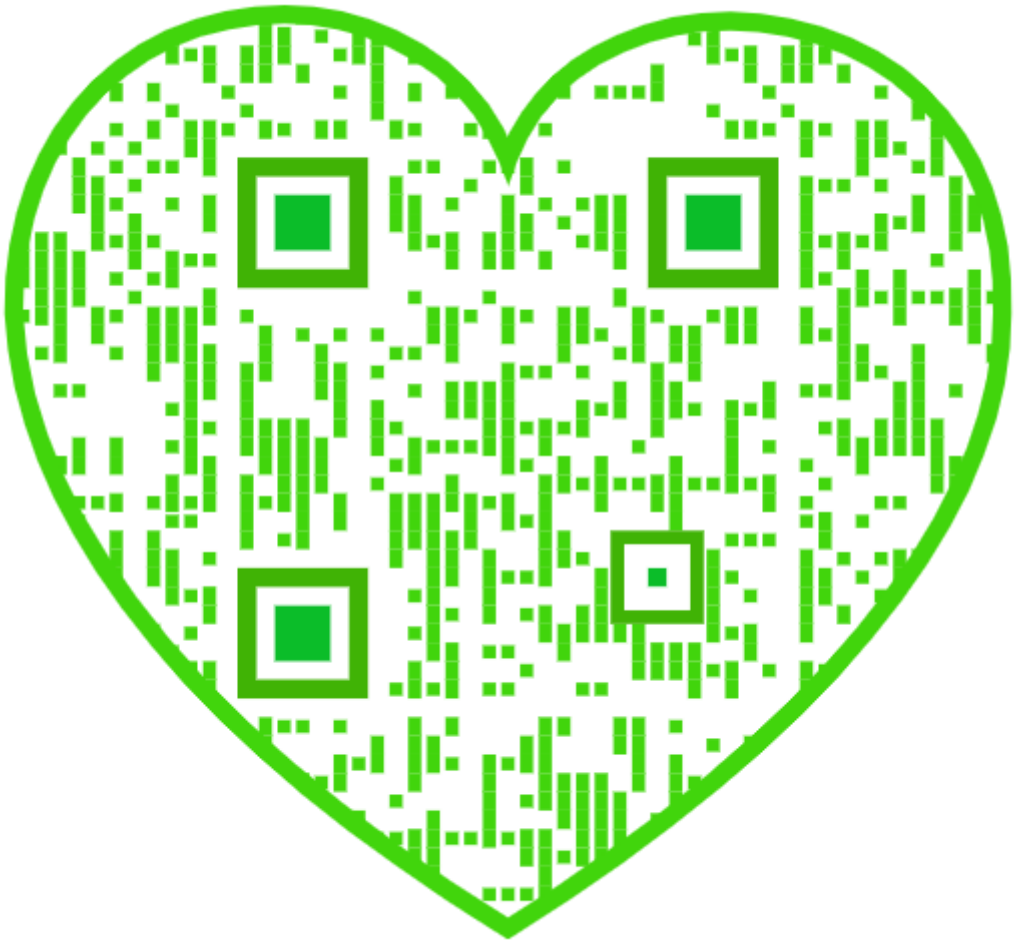
HISTORY OF TENNESSEE



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Flag of the State of Tennessee

Adopted by act of the General Assembly, April 17, 1905. The three white stars represent the three political divisions of the state, organized at different periods in its history. They are bound together by the circular blue field; the symbol represents three making one.

The design was made by Captain LeRoy Reeves, of the Third Regiment, Tennessee Infantry.

A

HISTORY OF TENNESSEE

FROM 1663 TO 1919

FOR USE IN SCHOOLS

BY

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TENN. HIST.
E-P 34

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PREFACE

THIS book has been written because the teachers of the state have asked for it. How well it will meet their demands remains to be seen. It is the result, in book form, of the author's long observation and experience as principal of a large graded school and as an instructor in history in the state institutes.

The material has been accumulated through many years and from many sources. In the few instances where there are conflicting statements I have followed my own judgment in reaching conclusions. Whenever possible, I have consulted persons, places, or original records. The greatest difficulty has been *what to omit*, as it is impossible to embrace *all* in the limits of a schoolbook.

The book has been written for children of the fifth to the seventh grade of our public schools, and in language that they can understand. No effort has been made to do anything more than to tell the story of a great state in a manner that will interest the readers for whom it is intended. As the work progressed the test of *schoolroom use* has been applied unsparingly, and with satisfactory results.

While intended for children, it is hoped that the book may prove interesting to older readers. Some usually accepted statements in the general history of our country have been flatly contradicted. This has been done deliberately and after careful investigation. Not to have done so would have been to leave the whole people of Tennessee misrepresented with regard to the Civil War, and would have been especially unjust to the Union men of the state. History virtually presents them in the attitude of "Yankee sympathizers." The truth is they were simply Union men, without sectional consideration, and were as hostile to northern disunionists as they were to southern ones. On the other hand, nine tenths of the Confederate soldiers of Tennessee were never secessionists. Justice and our own self-respect demand that our children shall know the truth about these matters.

The appendix, containing the Constitution of Tennessee and a number of reference tables, will be found valuable to readers of every class.

My thanks are due to Professor S. G. Gilbreath of Peabody Normal College, Superintendent C. S. Douglas of Gallatin, the officials of the State Library and of the Tennessee Historical Society, for special information on local history: to Colonel John Allison of Nashville for permission to use freely his "Dropped Stitches in Tennessee History"; to Hon. John R. Walker of Trenton for aid in preparing the tables of the judiciary; and to Superintendent S. A. Mynders of Jackson for assistance in reading the proofsheets. None of these gentlemen, however, are responsible for any error that may be found in the book.

I am especially indebted to my daughter, Miss Ora McGee, for her valuable services in preparing the manuscript for the press, and to the publishers for the taste and skill shown in the completed book.

G. R. McGEE.

JACKSON, TENN.,
February 12, 1900.

PREFACE TO REVISED EDITION

THE remarkable favor shown former editions of this book by critics, teachers, and the general public is gratefully acknowledged by both author and publishers.

About all that could be said in praise of a schoolbook has already been said by the superintendents and teachers of the state in whose schools it has long been a text-book.

In evidence of our gratitude for its kindly reception the book is now presented, revised, enlarged, and brought up to date. We hope that it may prove more charming and useful in the future than it has been in the past.

G. R. McGEE.

JACKSON, TENN.,
August, 1919.

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TO THE TEACHER

Good maps and good books used under the direction of an earnest and conscientious teacher will almost invariably insure interest and enthusiasm in a history class.

To teach history successfully you must have a fair knowledge of the general subject, — the broader the culture, the better for all concerned. Perfect familiarity with the text-book used is indispensable. Not the mere familiarity of knowing its words, but a clear view of its facts, geography, scope and purpose, references, and allusions.

A good teacher seeks to interest, instruct, and inform his pupils; a poor one, to prepare them for an examination.

For the convenience of those who may use this book it has been divided into *Periods*, as follows: —

Period I. extends from 1663, the date of Charles II.'s grant of Carolina to the Earl of Clarendon and his associates, to 1769, the date of the first known settlement of English-speaking people in Tennessee. The subjects treated in this period are *Indians, Explorers, and Adventurers*. This period should be thoroughly mastered in its facts and geographical details, and its references clearly explained before the succeeding period is taken up.

Period II. extends from 1769, the date of the first settlement, to 1796, the date of Tennessee's admission into

the American Union. The subjects treated, under several minor headings, are the *Settlement and Organization of the State.* These twenty-seven years embrace the "Heroic Age" of Tennessee. The period is the most eventful, romantic, and glorious in the annals of the state, with the possible exception of the era of civil war. Judiciously handled, it will be of absorbing interest and incalculable benefit to those who study it.

Period III. extends from 1796, the date of Tennessee's admission into the Union, to 1861, the beginning of the Civil War. The subject treated is *The State before the Civil War.* It is the period of development in constitutional, legislative, and judicial affairs; and of growth from pioneer communities into a great and powerful commonwealth. It is notable for the number of distinguished men it produced, and the prominent parts they took in the arena of both state and national politics.

Period IV. extends from 1861 to 1865, and embraces the blood-stained years of *The War between the States.* It should be closely studied in order that our young people, who are now so far from the din of that strife, may clearly understand the motives of the men of Tennessee who took part in that memorable struggle on either the Confederate or the Federal side. This is due the memory of the heroic dead, and to the spirit of true patriotism which has ever characterized Tennesseeans.

Period V. extends from 1865, the close of the Civil War, to the present. The subject is *The State since the Civil*

War. The whole period is within the memory of all persons over fifty years of age. It is marked by great political turmoil, the adjustment of a whole people to a new order of living, and remarkable educational, commercial, and industrial development.

The topics under the heading, "What have we learned?" are not intended to be exhaustive, but only suggestive. No one can prescribe exact questions for the use of a competent teacher, and no effort has here been made to do so. Neither is any special "method of instruction" recommended. A clear ideal of what is desired and a fixed purpose to work up to that ideal will usually suggest reasonably good methods in any school work.

NORTH AMERICA
SCALE OF MILES
0 500 1000
ARCTIC OCEAN
ASIA
BERING SEA
Yukon R.
ALASKA
Mackenzie R.
ARCTIC REGION
Baffin Bay
GREENLAND
ICELAND
ARCTIC CIRCLE
HUDSON BAY
LABRADOR
NEWFOUNDLAND
CABOT English
NOVA SCOTIA
CHAMPLAIN
St. Lawrence R.
Winnipeg L.
Saskatchewan R.
Columbia R.
ROCKY MTS.
Missouri R.
Great Salt L.
SIERRA NEVADA
Colorado R.
CORONADO
Arkansas R.
Mississippi R.
Ohio R.
ALLEGHANY MTS.
LA SALLE French
MARQUETTE
Great Lakes
CLARENDON
GRANT
FLORIDA
PINZON & SOLIS
BAHAMA ISLANDS
COLUMBUS 1492
BERMUDA IS.
ATLANTIC OCEAN
PACIFIC OCEAN
TROPIC OF CANCER
SIERRA MADRE
Rio Grande
LA SALLE
Brazos R.
MEXICO
GULF OF MEXICO
WEST INDIES
CUBA
HAITI
JAMAICA
PUERTO RICO
CARIBBEAN SEA
CORTEZ
YUCATAN
PINZON & SOLIS 1498
Isthmus of Panama
CENTRAL AMERICA
BALBOA
SOUTH AMERICA
110 Longitude West 90 from Greenwich 70

Period I. 1663–1769

INDIANS, EXPLORERS, AND ADVENTURERS

CHAPTER I

INTRODUCTION

To the Girls and Boys of Tennessee:

We cannot properly begin to study the history of Tennessee until we have taken a brief view of some parts of the history of America and of the United States, therefore I give you this introduction.

The people who live in Tennessee, who have made it a civilized country, and who have made its history, are the children, grandchildren, etc., of people who came from Europe and settled in America. Before the days of Columbus the people of Europe knew nothing of America. They had never heard of such a country.

In 1492 Columbus sailed from Spain across the Atlantic Ocean and discovered some of the islands of the West Indies. He afterward discovered South America, but he never saw North America. No people except savages, that Columbus called Indians, then lived in America.

For more than a hundred years after Columbus's discovery, people from Europe, especially from Spain, France, and England, were busy sailing along the coasts, paddling boats up and down the rivers and lakes, and tramping through

the woods and prairies of the new country. Each party of explorers claimed for their own nation all the lands they saw.

Now look at the map of North America, and I will explain to you how some of these claims became so confused as to

Landing of Columbus

cause a great deal of trouble to the people who moved into the country, and a great deal of quarreling and fighting among the nations that made the claims.

The Spaniards claimed that, as Columbus was in the service of Spain when he made his discoveries, the whole Western Continent should belong to them. As they made their first settlements along the Gulf of Mexico they claimed everything from the Gulf of Mexico northward to the Arctic Ocean, besides the lands which they actually occupied on the Gulf and to the south of it.

The English said that Columbus never saw North America, but that it was first seen by John Cabot, in 1497, while he was in the English service. On Cabot's discovery the English claimed all the country from the Atlantic coast to the Pacific Ocean.

The French claimed everything from the St. Lawrence River and the Great Lakes southward to the Gulf of Mexico, because Champlain, La Salle, and some other Frenchmen had been the first to explore the interior of the country by way of the St. Lawrence, the Great Lakes, and the Mississippi River.

Indian

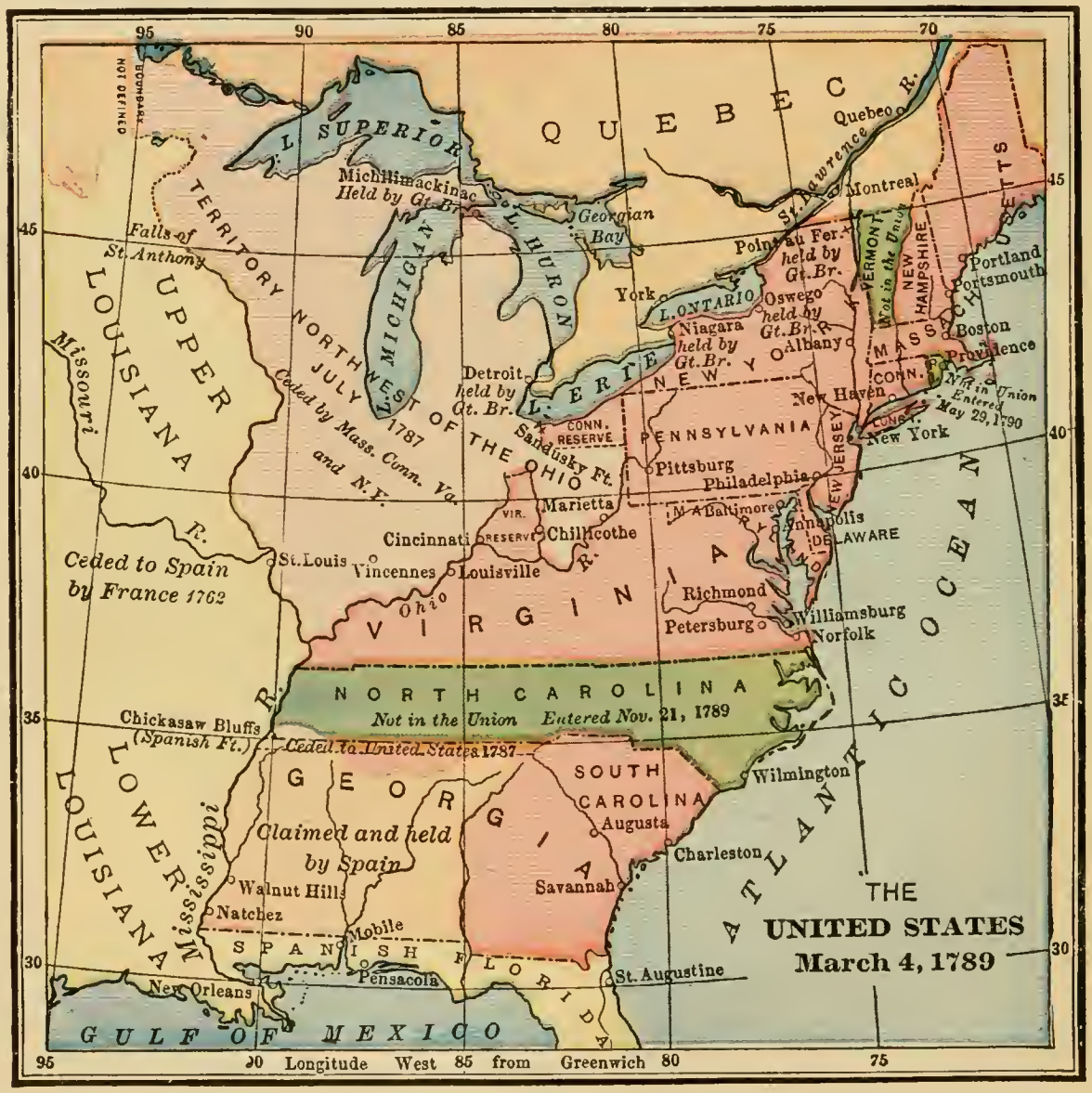
Now look again at your map and you can plainly see that the three nations were claiming the same land, and that what is now the State of Tennessee is part of that very land.

None of the nations seemed to pay any attention to the rights of the Indians who lived over the whole country and were the real owners of the soil. The Indians of course did not like this, and while the English, French, and Spaniards quarreled and fought over their claims to the new lands, the Indians, at one time or another, hated and fought them all.

This will show you the real cause of some of the wars on Tennessee soil that must be mentioned in the early history

of the state, and will explain why Tennessee has been at different times occupied by French, Spanish, and English soldiers and traders.

In 1660 Charles II. became King of England. His father had been executed about twenty years before, and



he himself had been driven out of England. Until he was made king, he had lived as best he could in other countries of Europe by the aid of some faithful friends. He was a dissipated, frolicking, worthless sort of monarch, but he seems to have been grateful to the friends who were kind

to him in his exile, and to some of those who had helped to make him king. To reward the Earl of Clarendon and a few others of these friends he gave them, in 1663, all that part of North America lying between 31 degrees and 36 degrees of north latitude, extending from the Atlantic to the Pacific Ocean, and called this grant Carolina. The "Clarendon Grant" was enlarged, in 1665, by half a degree on the north, and by two degrees on the south.

After white people had come from Europe and Virginia to live in the country, this grant was divided into North Carolina and South Carolina and the boundary lines were considerably changed. The Mississippi River was made the western boundary line, and the parallel of $36\frac{1}{2}$ degrees the northern boundary line of North Carolina. The other boundaries were fixed somewhat as you now see them on your maps, except that there was no dividing line between North Carolina and Tennessee. There was no Tennessee in name. North Carolina extended from the Atlantic Ocean to the Mississippi River, and what is now Tennessee was then the western half of North Carolina. Thus you see that the early history of our state is the history of a part of North Carolina.

Be sure that you have the *map* well in mind before you try to go farther in this book. A good history of the United States and one of England will explain to you fully some things that are very briefly mentioned in this and in other chapters.

WHAT HAVE WE LEARNED?

1. Date of the discovery of America by Europeans.
2. From what country Columbus sailed and what part of America he discovered.
3. The first hundred years after Columbus's discovery.

4. Claims of the Spanish, of the English, of the French.
5. How the Indians' rights were treated.
6. Result of the conflicting claims.
7. How these disputes have affected Tennessee.
8. Sketch of Charles II. of England.
9. Grant of American land to his friends.
10. Division of this grant and change of boundaries.
11. Tennessee about the year 1700. Give present boundaries.
12. Other sources of information needed.

CHAPTER II

INDIANS

As our ancestors saw them, the Indians were tall, straight, well-formed people, and were active, hardy, and strong.

Indians at Home

They had brownish red skins, some of them being much darker than others. They had black eyes, and coarse, straight, black hair; and the men had no beard. They very rarely had handsome faces or even pleasant-looking

ones. They had some noble traits of character, and some of their chiefs were great and wise men for savages; but usually they were ferocious and untamable.

They were brave and cunning, cruel and revengeful, very fond of gay colors and trinkets, very lazy and dirty, and were great liars and rogues. Indeed, they did not seem to think that there was much wrong in lying, stealing, and murder. They were ignorant savages, and many of the white men who first came among them to trade taught them to gamble and to love strong drink. The evil things they learned from the white traders, added to the vices they already had, made the Indians a very bad people.

They had no houses but a sort of huts called wigwams. They lived, as most savages do, chiefly by hunting and fishing, though some of them had patches of corn and beans and pumpkins. The women did nearly all of the work, while the men hunted, fought, and lounged about the camp. They traded the skins and furs of the wild animals they killed for earrings and beads, knives and hatchets, red paint and bright-colored cloth, and such other things as they fancied.

The people of Europe in the seventeenth century did not know how to make such soft, warm woolen goods as they do to-day, so furs were more valuable then than now.

This made the English, French, and Spanish traders very active in the fur trade and each very anxious to get it all. Each nation tried to make the Indians hate the other two and not trade with them. This caused a great deal of trouble. There was another set of traders who wanted the Indians' land, and they caused more trouble. Nearly all of them cheated and wronged the Indians shamefully, and the Indians in turn killed many settlers and burned their houses, and roasted the women and children in the

fire, and in many other ways treated the white people shamefully. So much for cheating and wrongdoing in general.

The Indians of North America were not all exactly alike in appearance and habits of life, nor did they all speak the same language. Those who lived in the same region and spoke the same language were called a tribe;

Indian Massacre

as, the tribe of Cherokees, the tribe of Chickasaws, etc. Each tribe was governed by its chiefs or head men, and different tribes were very often at war with each other. Indeed, hunting and fighting seemed to be about the whole business of an Indian's life.

When white people first settled on Tennessee soil, the Cherokee Indians lived in the mountains and valleys of what is now East Tennessee, and in the adjoining parts of North and South Carolina and Georgia. They had

cattle and horses, and raised considerable crops of corn. They were rich Indians. The Chickamaugas lived along the little river or creek that now bears their name, and in the mountains about where Chattanooga now stands. These Chickamaugas were kinsmen of the Cherokees, though they lived as a separate tribe.

The Creeks lived along the Tennessee River, in what is now North Alabama, and perhaps in a little of the southern part of Middle Tennessee.

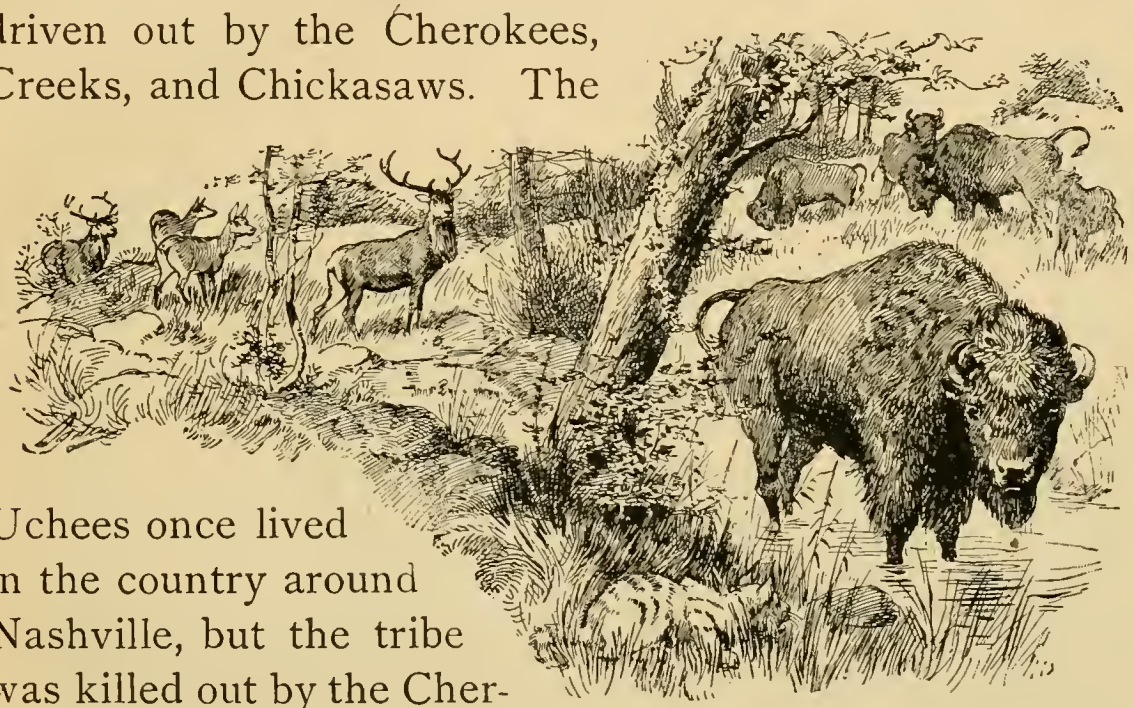
The Chickasaws lived in North Mississippi and on the high hills or bluffs along the Mississippi River in West Tennessee, where Memphis and Randolph now stand. The Choctaws lived in Mississippi, south of the Chickasaws, and sometimes came into Tennessee. There were very few if any other Indians in what is now Tennessee, besides those we have named.

Now carefully locate each tribe on the map, and you will see that no Indians lived in Middle Tennessee except along the extreme southern border, and none in West Tennessee except along the Mississippi River.

The Chickasaws claimed all of West Tennessee as their

hunting ground, and there seems to have been no serious dispute with other tribes about this claim. While they did not live all over that part of Tennessee lying between the Tennessee and the Mississippi rivers, they owned the country, and hunted over it, and sometimes crossed over into Middle Tennessee.

The Indians said that the Shawnees once lived along the Cumberland River in Middle Tennessee, but were driven out by the Cherokees, Creeks, and Chickasaws. The Uchees once lived in the country around Nashville, but the tribe was killed out by the Cherokees. Other tribes may have lived in Middle Tennessee in the long-gone years, but none lived there when the white man first came west of the Alleghany Mountains.



"Elk" and "Buffalo"

At that time all of the country bounded by the Cumberland Mountains, the Tennessee River, and the Ohio River was a vast hunting ground claimed by the Cherokees, the Chickamaugas, the Creeks, the Chickasaws, the Shawnees of Indiana, and the Iroquois of New York.

A part of this region was Middle Tennessee, and none of the Indian tribes dared live there for fear of the attacks of all the others who claimed the country as their hunting

ground. So many and so fierce had been the battles in this region that the part of it which lies between the Cumberland and the Ohio rivers was called "The Dark and Bloody Ground," or, in the Indian tongue, "Kentucky."

As no one lived in all of this beautiful country, and only occasional parties of Indian hunters passed through it, the wild animals had it almost to themselves. Deer, "buffalo," bears, "elk," swans, geese, ducks, turkeys, and many other kinds of wild game were abundant. This made it a fine place for hunters, and when the white hunters heard of it, some of them ventured into the dangerous and disputed game preserves, as you shall read in another chapter.

WHAT HAVE WE LEARNED?

1. Personal appearance of the Indians.
2. Their tastes and dispositions.
3. Their homes and manner of living.
4. Value of the fur trade in the seventeenth century.
5. On what day did the seventeenth century begin? On what day did it end?
6. Rivalry of the English, French, and Spaniards.
7. Conduct of the traders and of the Indians.
8. An Indian tribe.
9. Tribes living in Tennessee, and home of each.
10. Tribes claiming Middle Tennessee; West Tennessee.
11. "The Dark and Bloody Ground."
12. "A Game Preserve."
13. Wild animals in Tennessee.
14. The white hunters.

CHAPTER III

EXPLORERS

VERY soon after the discovery of America the Spaniards began to explore the country around the Gulf of Mexico

De Soto discovers the Mississippi

and to make settlements there. You must remember that the Spaniards claimed all the land in North America.

In 1539 a Spanish general named De Soto landed in Florida with a party of soldiers and began to march through the country northward and westward to see what he could find. He found very little of anything except woods and swamps and Indians and graves for many of his men. For five years he wandered over what is now

Florida, Georgia, Alabama, Mississippi, and perhaps Tennessee, crossing the Mississippi River into Arkansas about where the city of Memphis now stands.

In 1542 De Soto died in Arkansas or Louisiana and was buried in the Mississippi River, which he had discovered in 1541. This was the only important discovery he made in all his wanderings. He is mentioned here because he and his party were probably the first white men that ever saw Tennessee. We do not *know* this, but think it is probably true.

In 1607 the English made their first permanent American settlement, at Jamestown, in Virginia, and for more than a hundred years they were busy making settlements along the Atlantic coast. Remember that they claimed from the Atlantic to the Pacific Ocean.

In 1605 the French, who claimed all from the St. Lawrence and the Great Lakes southward, made their first settlement at Port Royal, Nova Scotia; and in 1608 a Frenchman named Champlain founded Quebec in Canada. In 1681 another Frenchman, named La Salle, went west from Quebec to Lake Michigan and thence to the Mississippi River. He floated down this river to its mouth, and named the whole Mississippi Valley Louisiana, in honor of King Louis XIV. of France. In 1682 he went back up the river, stopped at the present site of Memphis or near it, built a fort called "Prudhomme," and left some French soldiers to hold it until he should go to France and return. This is the first that we know of the French in Tennessee. They afterward built another fort in Tennessee at a place called French Lick on the Cumberland River, at or very near the site of Nashville.

This was one of an irregular line of forts extending from Quebec to the mouth of the Mississippi River. With

soldiers in all this line of forts the French intended to keep the English on the east side of the Alleghany Mountains. But the English would not stay there. They wanted the game and the furs and the rich land on the west side, and said they meant to have them whether the French were willing or not.

La Salle on the Mississippi

Much of the time from 1690 to 1763 the English and French were fighting desperately, in what are called the "Intercolonial Wars," to drive each other out of North America. The Spaniards took part in some of the wars, and most of the Indians helped the French.

The result of these wars was that the French were driven out of North America. The English then held Canada and all of the country east of the Mississippi River (except New Orleans); but they gave Florida back to Spain, its previous owner, in 1783. The Spanish had

Florida and New Orleans and all the land west of the Mississippi.

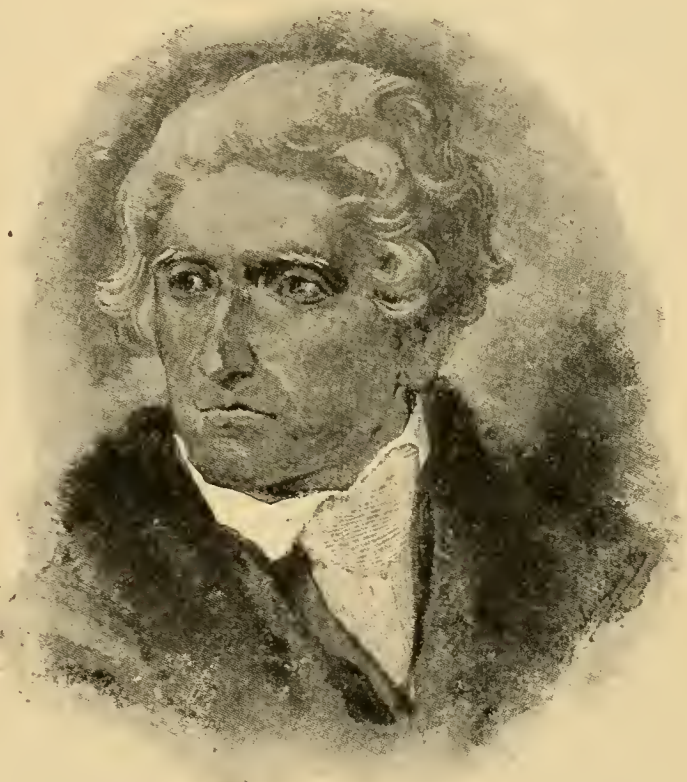
Florida at that time extended from the Atlantic Ocean to the Mississippi River; but after all the fighting and surrendering and treaty making, the northern boundary of Florida had never been fixed to the satisfaction of all parties. Years afterward the Spanish governor general at New Orleans thought he might be able to hold for his royal master, the King of Spain, all the territory explored by De Soto. So he went up the Mississippi to the mouth of Wolf River and built Fort Barancas, on the site of Memphis, and claimed all south from there as Spanish territory. Tennessee, or a part of it, was then claimed by the Spaniards on account of Columbus's discovery, De Soto's exploration, and the Fort Barancas occupation. We shall learn more about the Spanish claims further on.

All of the forts that have been mentioned were military trading posts where French, Spanish, and a few English fur traders dealt with the Indians or kept goods for that purpose. As these traders were always wandering over the country from one fort to another, or from the forts to the Indian towns, they were among the very first white people to explore the land we now call Tennessee.

During the period of French and Spanish exploration the English colonists east of the mountains had not been idle. In 1748 Dr. Thomas Walker and a party of hunters came from Virginia into Powells Valley in East Tennessee, crossed the mountain at Cumberland Gap, and hunted along the Cumberland River. The mountains, the gap, and the river were probably named by this party in honor of the Duke of Cumberland, the prime minister of England. After them came hunters and trappers from North Carolina and South Carolina as well as Virginia, and some

of these gave names to Walden Ridge, Powells Valley, and many other places in East Tennessee.

In 1756 or 1757 the English built Fort Loudon on the Tennessee River, about thirty miles from the present city of Knoxville, to keep the Cherokee Indians peaceable. The French were trying to get them to make war on the English settlers in North Carolina. Fort Loudon is the place where English people first lived in Tennessee. But it was not really a *home;* it was only a fort in which soldiers and traders, with possibly a few of their families, lived for a short time. It was taken and destroyed by the Indians three or four years after it was built.



Daniel Boone

Although the Indians destroyed the fort and killed the people there, we know that white men still ventured into Tennessee, for on the bark of a beech tree in the valley of Boons Creek, has been found the following inscription: —

"D. Boon CillED A BAR On Tree in ThE yEAR 1760."

Daniel Boone and other hunters were in Tennessee about this time, and this inscription is very probably the work of Boone or some of his friends.

After the treaty of peace was made between England and France in 1763, many hunters and explorers besides Boone and his companions poured over the mountains from Virginia and North Carolina and South Carolina, though the country was still dangerous for white men.

On their return home, these hunters told such fine stories of the beautiful rich country they had seen, that many people in Virginia and the Carolinas were anxious to move west of the mountains, buy good land for very little money, or take it from the Indians for nothing, and establish pioneer homes in Tennessee.

WHAT HAVE WE LEARNED?

1. Spanish claims in North America.
2. De Soto and his wanderings.
3. His important discovery. Date.
4. His connection with Tennessee history.
5. English claims in North America.
6. English settlements. Date of first.
7. French claims in North America.
8. French settlements.
9. La Salle and Louisiana.
10. Fort Prudhomme. Date.
11. French Lick.
12. Line of forts — their purpose.
13. The Intercolonial Wars and the Indians.
14. The three nations after 1763.
15. Limits of Florida in 1783.
16. Fort Barancas. Spanish claims.
17. First explorers of Tennessee.
18. Explorers from the English colonies.
19. Fort Loudon. Date. Its character.
20. Daniel Boone.
21. Effect of the treaty of 1763.
22. Effect of the hunters' reports.

CHAPTER IV

ADVENTURERS

When the English destroyed the French power in America there were no states here as there are now, but what are now the states of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia were then thirteen English colonies. From Virginia southward each of them extended from the Atlantic Ocean to the Mississippi River.

The King of England appointed the governors in some of the colonies, and in some of them the governors were elected according to the provisions of a charter granted by the king. But all of the governors and all of the people were subjects of the King of England.

When England and France made their treaty of peace, in 1763, nothing was said about the Indians' right to the land west of the Alleghanies, which the French had been forced to give up to the English. While the Intercolonial Wars were going on, the French told the Indians that if the English were successful they would take all of the Indians' land from them. This made most of the Indians help the French.

The English were victorious, and after peace was made the Indians were very much alarmed when they heard of the hunters and explorers, mentioned in Chapter III., coming from the English colonies into their hunting grounds.

They believed the English were about to do what the French had said they would do. This was one of the chief causes of a general Indian attack upon the English colonies, called in the history of the United States "Pontiac's War." The Indians were badly defeated in battle, Pontiac was murdered by another Indian, and the war soon came to an end.

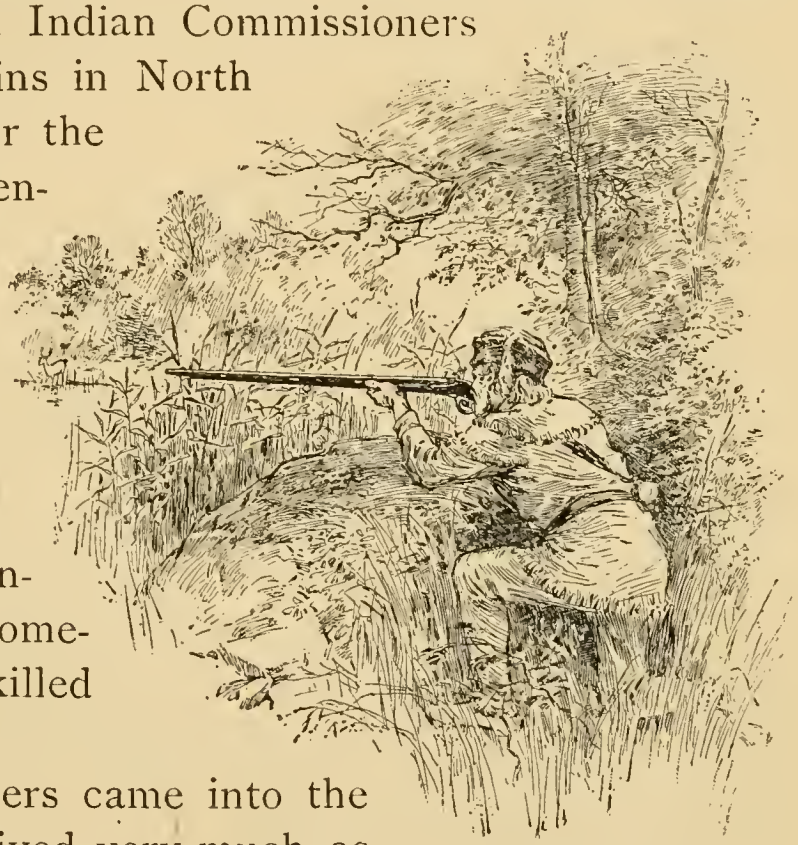
King George III. of England did not wish his colonies in America to be disturbed by any more Indian wars; so he ordered the governors of the colonies not to allow any of his subjects in America to trespass on the Indian lands west of the Alleghany Mountains. But the governors either would not or could not keep them from it. The king then made treaties with the Indians and appointed a set of officers called Indian Commissioners, who were to go among the Indians, be friendly with them, hear their complaints against white men who had wronged them, see that the Indians had justice done them, and keep them loyal to the king and government of Great Britain as agreed in the treaties.

The king also issued an order that no one should settle upon land belonging to the Indians, and that no one except his agents should buy land from the Indians west of the Alleghany Mountains. This order also provided that if any white man did buy land from Indians and the Indians moved away and gave it up to him, the white man should not have a title to it, but it should become public land belonging to the government of the king.

This order seemed to make the Indian reasonably safe in the possession of his land; but the people in the colonies paid little attention to the king's order. They said the Indians were very bad neighbors, that they had helped the French in the French and Indian War, that in

Pontiac's War they had tried to kill all the English, that they were heathens and lazy barbarians who would not work the land, and besides, that they had three or four times as much as they needed if they would work it.

Thus, with one argument and another, some colonists convinced themselves that they ought to cross the Alleghanies and settle on the Indians' land, or at least see where they would like to settle, in spite of the king and his governors and Indian Commissioners and all the redskins in North America. So over the mountains the adventurers came, and roved through the Indians' hunting grounds, killing his deer and buffalo, and occasionally an Indian himself; and sometimes the Indians killed them.



A Long Hunter

Parties of hunters came into the new regions and lived very much as the Indians did, roaming about and hunting for a year or more before returning home. These were called "long hunters." Land companies sometimes employed these "long hunters" as guides for their surveying parties which were laying out the land intended for settlement or for sale to speculators.

Officers and soldiers who had fought in the French and Indian War were sometimes paid in land warrants. A land warrant is a written or printed paper, signed by the

proper officers, and giving to the person to whom it is issued the right to take and keep as his own property a certain number of acres of the public land belonging to the state or nation that issues the warrant. North Carolina had issued some of these warrants, and the soldiers who had received them wanted land in that part of North Carolina which is now Tennessee.

Poor men with large families wished to improve their fortunes by going west, where they could get good land to give their children when they grew to be men and women.

Rowdies and rogues and rascals of many kinds, who in the older settled parts of the colonies were in great danger of being sent to jail or the whipping post, thought that the wild woods west of the mountains would be a good place for them to hide from the officers of the law.

Besides all these there were no doubt many people of restless, daring spirit who wished to go west solely for the sake of adventure and to see something new.

We do not positively know that any of these people actually built houses and made themselves homes in Tennessee before the year 1769. But we do know that for six or more years before that date they were coming and going across the mountains.

In 1767 the Iroquois complained that the white people were taking their land and killing or driving away their game. The Indian Commissioner for the northern tribes then called a great Indian council at Fort Stanwix — near the site of Rome, New York, and bought from the Iroquois and other northern tribes their title to all the lands between the Ohio and Tennessee rivers. The Commissioner for the southern tribes called a council at Hard Labor, South Carolina, and bought the title to the same

land, except a few reservations, from the Cherokees. The Cherokees had chiefs in both councils.

These treaties were finished in December, 1768. Early in 1769 we find William Bean living in his log cabin on Boons Creek, near where it empties into the Watauga River.

Before this time we have seen French, Spanish, and English soldiers, traders, hunters, and explorers wandering over the country and living at military posts in the vast wilderness; now we see a family and a home of English-speaking people established in Tennessee, and here the real history of the state begins.

WHAT HAVE WE LEARNED?

1. Difference between a colony and a state.
2. The thirteen English colonies, in the order given.
3. Extent of the four southern colonies.
4. Colonial governors. Charters.
5. Why the Indians helped the French in war.
6. Cause of Pontiac's War.
7. Order of King George III. to colonial governors.
8. Indian Commissioners.
9. Orders of the king concerning Indian lands.
10. How the colonists treated the king's orders.
11. Land companies.
12. "Long hunters."
13. Owners of land warrants.
14. Other adventurers.
15. Treaty of Fort Stanwix.
16. Treaty of Hard Labor.
17. First real home of white people in Tennessee. Date.

Period II. 1769–1796

SETTLEMENT AND ORGANIZATION OF THE STATE

CHAPTER V

THE REVOLUTIONARY WAR

Let us leave Captain William Bean in his Watauga home while we learn a chapter of United States history. We must learn this well in order that we may understand the condition of affairs in the "Thirteen Colonies" mentioned in Chapter IV., and how this affected the settlement in Tennessee. Remember that all of these colonies were under the government of the King of England.

The laws of England are made by a body of men called the "Parliament." Part of the members are appointed or born to the office and compose the House of Lords; part are elected by the people of Great Britain, and these elected members compose the House of Commons.

The American colonists had forms of government that resembled the government of their old home in England. Each colony had a governor, who in general was the king's representative, and a colonial legislature or general assembly, instead of a parliament. Part of the members of this legislature were appointed by the royal governor and were called the council; and part were elected by the people of the colony and were called the assembly.

It is one of the rights of every freeborn Englishman

that he must not be taxed except by the parliament in which he has representatives. The American colonists claimed all the rights of Englishmen and said that they should not be taxed except by the colonial legislatures in which they had representatives. The colonists claimed that the people in England and in America had the same king, but not the same legislative body.

Before the French and English began the "Intercolonial Wars" the English Parliament had never tried to lay taxes on the Americans or make any local laws for them. The king, and the governors he appointed, and the colonial legislatures did all the governing in the colonies.

These wars had been very expensive, and at their close England was in great need of money. The Parliament thought the American colonies would be a good place to get some of the money they needed, and they said the wars had been partly for the Americans' benefit, so they began to pass laws laying taxes on the Americans.

The Americans said they had no representatives in the British Parliament, and that, therefore, the Parliament had no right to tax them; and that they would not pay a penny of the taxes. The Parliament said they did have the right, and they meant to use it, as the money was to be raised only for colonial expenses, and that the Americans *should* pay the taxes.

The Americans then petitioned the king to keep the Parliament from taxing them, but the king took sides with the Parliament, and the royal governors of course followed the king's example, and most of the minor officers in the colonies followed the governors. The king, the Parliament, the royal officials, and a few other people were on one side of the dispute; the colonial assemblies and most of the American people on the other.

The Parliament also passed laws to make the Americans ship their goods in certain vessels, and to prevent them from manufacturing certain articles, and in many ways seemed to treat them as if they were not as good as the people in England.

The Americans resented all of these things and said they were loyal subjects of the king and entitled to all the rights of freeborn Englishmen, and that they intended to have these rights if they had to fight for them.

Each year from 1765 to 1775 the quarrel grew worse, and finally the king sent an army to force the Americans to obey. Instead of obeying they determined to fight the king's soldiers, and organized bodies of men to do this, calling them Sons of Liberty or Minutemen or Regulators.

Minuteman

In 1775 the fighting began, and it continued nearly eight years. This war is called the American Revolutionary War. Those in America who took the side of the king and Parliament were called "Tories." Those who favored the American cause were called "Whigs."

As Tennessee was a part of North Carolina, and as more of the first settlers of Tennessee came from the eastern part of North Carolina than from any other colony, we are interested most in what happened there in the Revolutionary days.

People in this country now think that any one who is honest, industrious, and moral, who obeys the laws of his country and observes the rules of good manners, is entitled to respect for his personal worth. Our ancestors in North Carolina and in other colonies did not think exactly as we

do on this subject. They came mostly from England, where people were divided into classes or grades of society and were respected very much according to the class to which they belonged. Living in America had modified these English notions, but they still existed. Many people left the older colonies and came to Tennessee to be rid of these class distinctions. They wished to be free men respected for their own worth.

The class idea made the royal governors and tax collectors and other officers of the king think it a great show of rudeness that the American common people should be claiming rights, and talking about liberties, and refusing to obey the British Parliament. Many of the officials said that these common people ought all to be killed for their impudence, and robbed them and abused them until the people thought that most of the king's officers ought to be killed for their meanness. When people get into such a temper as this it takes but little to start them fighting.

In North Carolina the royal officials were among the most tyrannical and rascally in America, and Governor Tryon and all of the petty scamps who held office under him became so insolent and overbearing that the people organized parties of men called Regulators to resist the oppression of these officials.

In May, 1771, Governor Tryon, with a party of the king's soldiers, fought a battle with a band of regulators at Alamance Creek, about forty miles northwest of Raleigh. The regulators were defeated, many of them were killed, a few were captured and hanged, and many of those who escaped crossed the mountains into Tennessee.

This battle made the people more angry than ever. They wished to be loyal subjects of King George III. of England, but if his officers were to treat them wrongly and

then kill them because they resisted, they began to think it would be better to have no king at all. As matters grew worse and the country more disturbed each year, many more of the liberty-loving people fled to Tennessee.

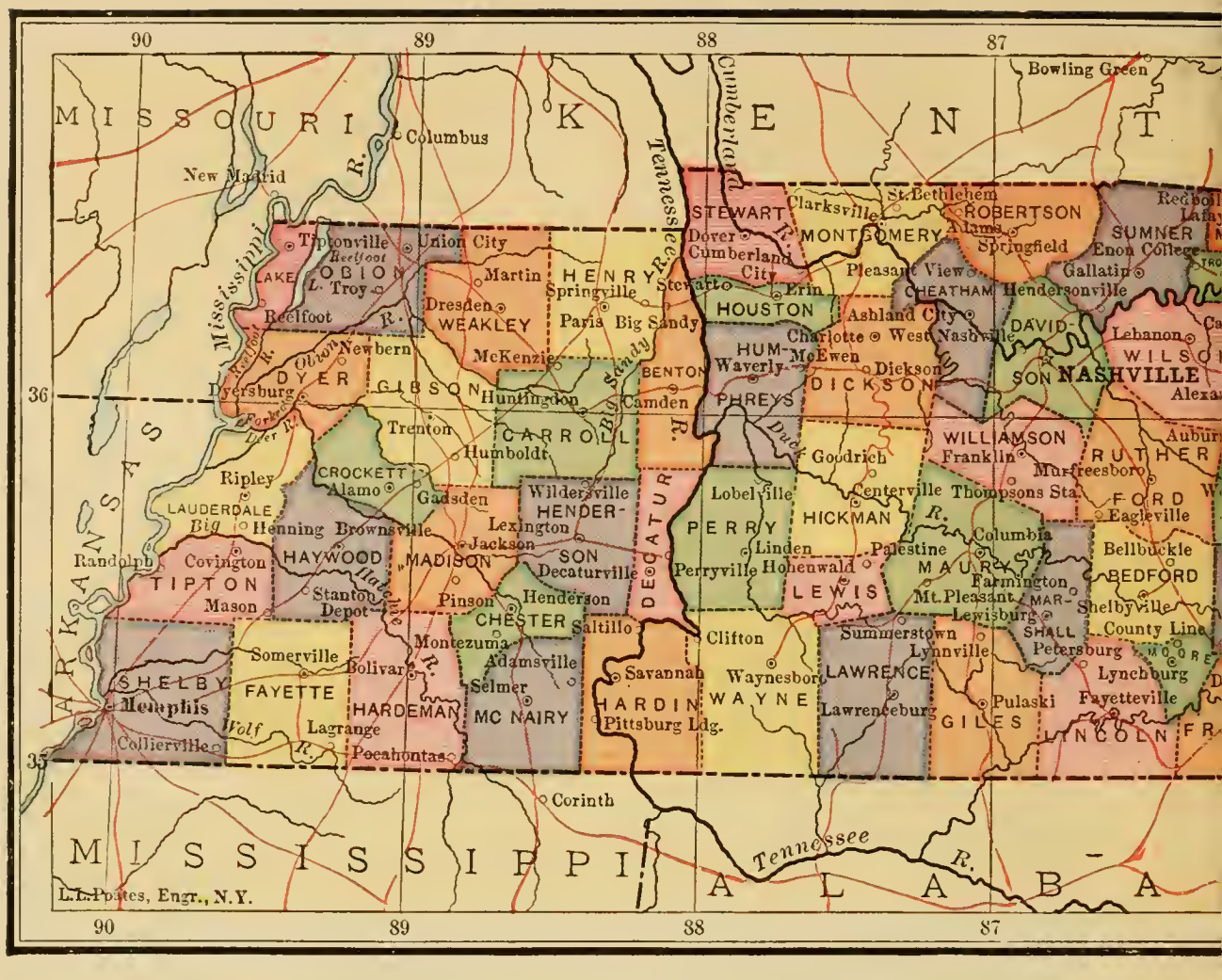
In April, 1775, the colonial legislature of North Carolina met at Newbern. The royal governor knew, from the speeches of John Ashe and some others, that the members of the assembly were not friendly to him or the king's cause; so he ordered the legislature to adjourn and

Battle of Alamance

the members to go about their own business and said he would attend to the king's business without any of their help.

This was the last royal legislature that ever met in North Carolina. As soon as the assembly adjourned, the same members reassembled without the governor's leave, declared themselves representatives elected by the people to secure the rights of free men, and said they meant to attend to that business without any of the governor's help. While they were in session the battle of Lexington was

3. Colonial legislatures.
4. Rights of Englishmen.
5. Rights of American colonists.
6. Connection in government between England and America.
7. Laws before the Intercolonial Wars. After.
8. American view of parliamentary tax. British view.
9. Petition of the Americans to the king. Result.
10. Impositions in addition to taxes.
11. War begins. Date.
12. "Whigs" and "Tories."
13. Why we are interested in North Carolina.
14. Real respectability. Classes of society.
15. Effect in North Carolina of class distinctions.
16. Effect on settlement of Tennessee.
17. The Regulators.
18. Battle of the Alamance. Effect on Tennessee.
19. Effect on the people of North Carolina.
20. Last "royal legislature" in North Carolina.
21. Battle of Lexington.
22. Mecklenburg Convention. Date. Declaration of Independence.
23. Effect on Tennessee of the Revolutionary struggle.
24. The four facts to be remembered.

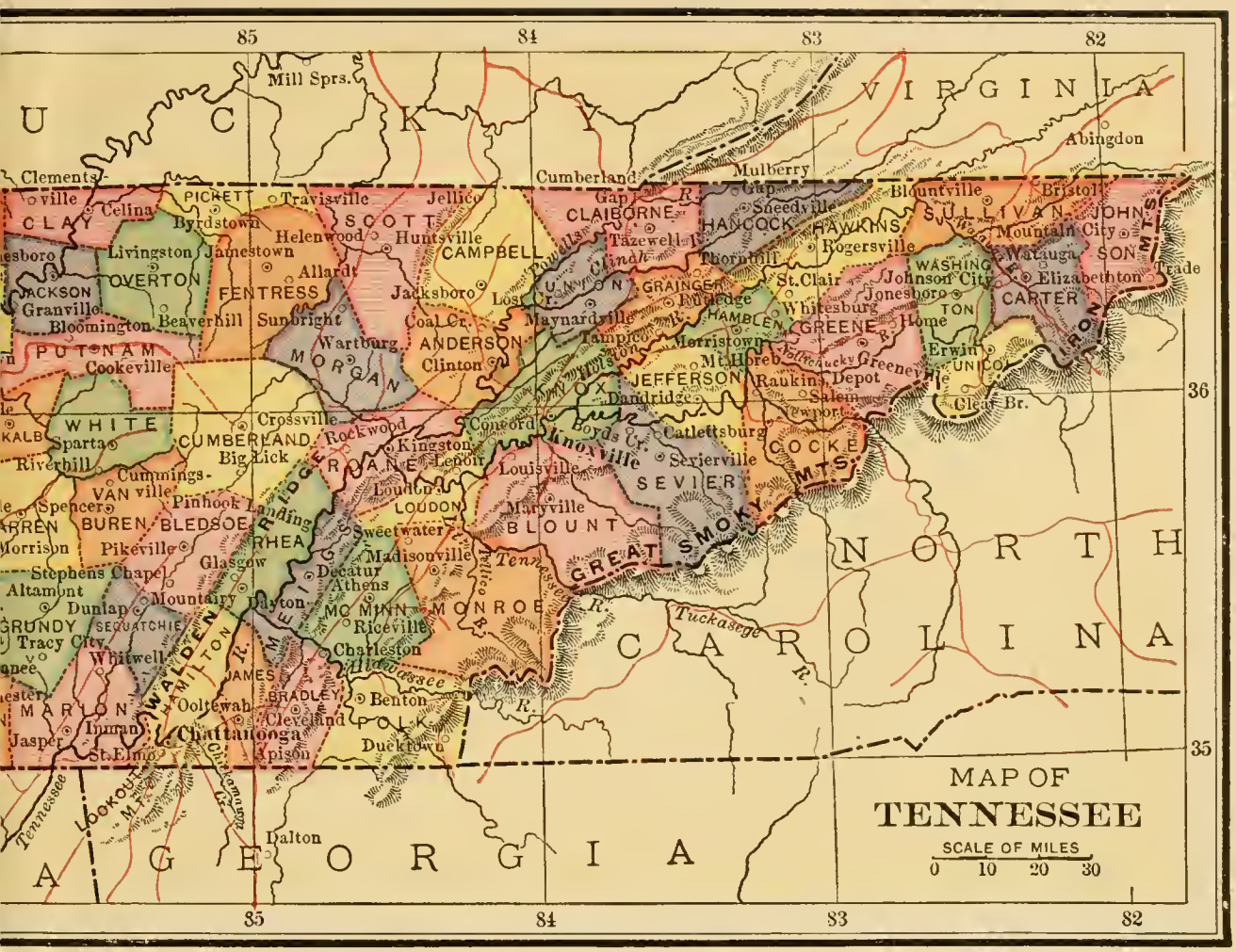


COUNTIES OF EAST TENNESSEE

Name	When formed	Pop., 1910	County Seat	Name	When formed	Pop. 1910	County Seat
Anderson	1801	17,717	Clinton	Knox	1792	94,187	Knoxville
Bledsoe	1807	6,329	Pikeville	Loudon	1870	13,612	Loudon
Blount	1795	20,809	Maryville	Marion	1817	18,820	Jasper
Bradley	1835	16,336	Cleveland	McMinn	1819	21,046	Athens
Campbell	1806	27,387	Jacksboro	Meigs	1835	6,131	Decatur
Carter	1796	19,838	Elizabethton	Monroe	1819	20,716	Madisonville
Claiborne	1801	23,504	Tazewell	Morgan	1817	11,458	Wartburg
Cocke	1797	19,399	Newport	Polk	1839	14,116	Benton
Grainger	1796	13,888	Rutledge	Rhea	1807	15,410	Dayton
Greene	1783	31,083	Greeneville	Roane	1801	22,860	Kingston
Hamblen	1870	13,650	Morristown	Scott	1849	12,947	Huntsville
Hamilton	1819	89,267	Chattanooga	Sequatchie	1857	4,202	Dunlap
Hancock	1844	10,778	Sneedville	Sevier	1794	22,296	Sevierville
Hawkins	1786	23,587	Rogersville	Sullivan	1779	28,120	Blountville
James	1871	5,210	Ooltewah	Unicoi	1875	7,201	Erwin
Jefferson	1792	17,755	Dandridge	Union	1850	11,414	Maynardville
Johnson	1835	13,191	Mountain City	Washington	1777	28,968	Jonesboro

COUNTIES OF MIDDLE TENNESSEE

Bedford	1807	22,667	Shelbyville	DeKalb	1837	15,434	Smithville
Cannon	1835	10,825	Woodbury	Dickson	1803	19,955	Charlotte
Cheatham	1856	10,540	Ashland City	Fentress	1823	7,446	Jamestown
Clay	1870	9,009	Celina	Franklin	1807	20,491	Winchester
Coffee	1835	15,625	Manchester	Giles	1809	32,629	Pulaski
Cumberland	1855	9,327	Crossville	Grundy	1844	8,322	Altamont
Davidson	1783	140,478	Nashville	Hickman	1807	16,527	Centerville



Name	When formed	Pop 1910	County Seat
Houston	1871	6,224	Erin
Humphreys	1809	13,908	Waverly
Jackson	1801	15,036	Gainesboro
Lawrence	1817	17,569	Lawrenceburg
Lewis	1843	6,033	Hohenwald
Lincoln	1809	25,908	Fayetteville
Macon	1842	14,559	Lafayette
Marshall	1835	16,872	Lewisburg
Maury	1807	40,456	Columbia
Montgomery	1796	33,672	Clarksville
Moore	1872	4,800	Lynchburg
Overton	1806	15,854	Livingston
Perry	1819	8,815	Linden
Pickett	1879	5,087	Byrdstown

Name	When formed	Pop., 1910	County Seat
Putnam	1842	20,023	Cookeville
Robertson	1796	25,466	Springfield
Rutherford	1803	33,199	Murfreesboro
Smith	1799	18,548	Carthage
Stewart	1803	14,860	Dover
Sumner	1786	25,621	Gallatin
Trousdale	1870	5,874	Hartsville
Van Buren	1840	2,784	Spencer
Warren	1807	16,534	McMinnville
Wayne	1817	12,062	Waynesboro
White	1806	15,420	Sparta
Williamson	1799	24,213	Franklin
Wilson	1799	25,394	Lebanon

COUNTIES OF WEST TENNESSEE

Benton	1835	12,452	Camden
Carroll	1821	23,971	Huntingdon
Chester	1879	9,090	Henderson
Crockett	1870	16,076	Alamo
Decatur	1845	10,093	Decaturville
Dyer	1823	27,721	Dyersburg
Fayette	1824	30,257	Somerville
Gibson	1823	41,630	Trenton
Hardeman	1823	23,011	Bolivar
Hardin	1819	17,521	Savannah
Haywood	1823	25,910	Brownsville
Henderson	1821	17,030	Lexington
Henry	1821	25,434	Paris
Lake	1870	8,704	Tiptonville
Lauderdale	1835	21,105	Ripley
Madison	1821	39,357	Jackson
McNairy	1823	16,356	Selmer
Obion	1823	29,946	Union City
Shelby	1819	191,439	Memphis
Tipton	1823	29,459	Covington
Weakley	1823	31,929	Dresden

CHAPTER VI

THE PIONEERS

When an army moves from one place to another it cannot always travel along public roads, but sometimes must make its own roads. The soldiers who go in front to cut trees, clear roads, and do other necessary work are called "pioneers." The pioneers are those who lead the march and prepare the way for the army to come after them.

The people who come first into a new country, build the first houses, raise the first crops, etc., are called the pioneers of that country, because they go before the others and prepare the country for civilized life.

Virginia was next to North Carolina in the number of pioneers she sent into Tennessee. William Bean, of Virginia, made the first settlement on Watauga River in 1769, and his son Russell Bean, was the first white child known to have been born in Tennessee. Very soon Bean had neighbors around him, and this section was called "The Watauga Settlement."

About the year 1771 Parker and Carter, wishing to trade with the Indians, set up a store near the present town of Rogersville. People from near Abingdon, Virginia, which was then called Wolfs Hill, and some others soon settled about this store. This community was called "The Carters Valley Settlement."

About the year 1772 Jacob Brown opened a store for Indian trade on the Nollichucky River. Pioneers soon

gathered around this store, and the settlement was called Brown's Store, or "The Nollichucky Settlement."

Now find Holston River on your map; fix in mind its location, and the direction it runs in Tennessee. Then locate Watauga River, Nollichucky River, and Rogersville, and you will know just about where the first three groups of pioneer cabins stood in Tennessee.

The first settlers were not troubled by Indians for several years. The Cherokees were the only tribe very near them, and they had enough of fighting just then. These Cherokees were fond of war, — in fact, said they could not live without it. A little while before Bean settled on the Watauga the Cherokees decided, as they had no neighbors worth fighting, that they would go over and fight the Chickasaws. The Chickasaws beat them terribly in battle, plundered their camps, killed numbers of their warriors, and chased the remainder of them back home. After this sore defeat they were not in condition to provoke a war with the white men, and therefore left the settlers in peace for several years.

The first settlers of Tennessee thought they were in Virginia, but when the boundary line between Virginia and North Carolina was established west of the mountains, they found themselves in that part of North Carolina which had been reserved by treaty for the Cherokee Indians.

As soon as the settlers learned this they secured from the Indians a ten years' lease of the lands they claimed. Afterward they bought the land from the Indians, giving what the red men thought was a big price, and what the white men knew was a very small one. At that time a tract of land about as large as the present county of Washington or Rutherford or Gibson could be bought for about ten or fifteen dollars.

One of the greatest troubles about the sales and treaties of these early days was that neither white men nor Indians honestly observed boundary lines. The Indians were a sort of grown-up children, who knew very little about moral law or duty, and the wisest and best chiefs among them could not keep their young men from trespassing on the land they had sold to the white people. Some of the white men were more greedy than ignorant, and would not do what they knew to be right in keeping off the Indians' land. This was one cause of Indian wars.

The pioneers were a hardy, resolute, fearless class of people. They had come into a wilderness to make homes, to better their fortunes, and to enjoy the liberty they did not have in the older colonies. They expected to face dangers and endure hardships, and they did both with the courage and fortitude that belong to the Anglo-Saxon race.

Let us see if we can picture to ourselves how these pioneers looked, how they lived, what they did.

Most of them wore moccasins instead of shoes. The men and boys wore short pantaloons and leather leggings reaching from the foot to above the knee. They had no coats, but wore hunting shirts. These were sometimes of heavy cloth, but usually of dressed deerskin, and were worn over the other clothing just as we wear coats. They were cut and made very much like an ordinary shirt, except that they were open the entire length of the front, and had a belt at the waist. In this belt the pioneer carried a small hatchet, or tomahawk, and a long, sharp hunting knife. He wore a cap of mink skin, or of the skin of some other small animal, very often with the tail for a tassel. He had a long, muzzle-loading, flintlock rifle, and a leather pouch suspended by a strap over his shoulder. In this

pouch he carried his gun wipers, tow, patching, bullets, and flints, and fastened to the strap was a horn in which he carried his powder. Now, can you see how the pioneer looked?

The women and girls wore bonnets, dresses, shawls, etc., very much as they do to-day, except that grown people's skirts were a little shorter and girls' a little longer than now, and all were very plainly made. There were no sewing machines in that day, and our great-grandmothers had so much of other work to do that they spent but little of their time on tucks and ruffles.

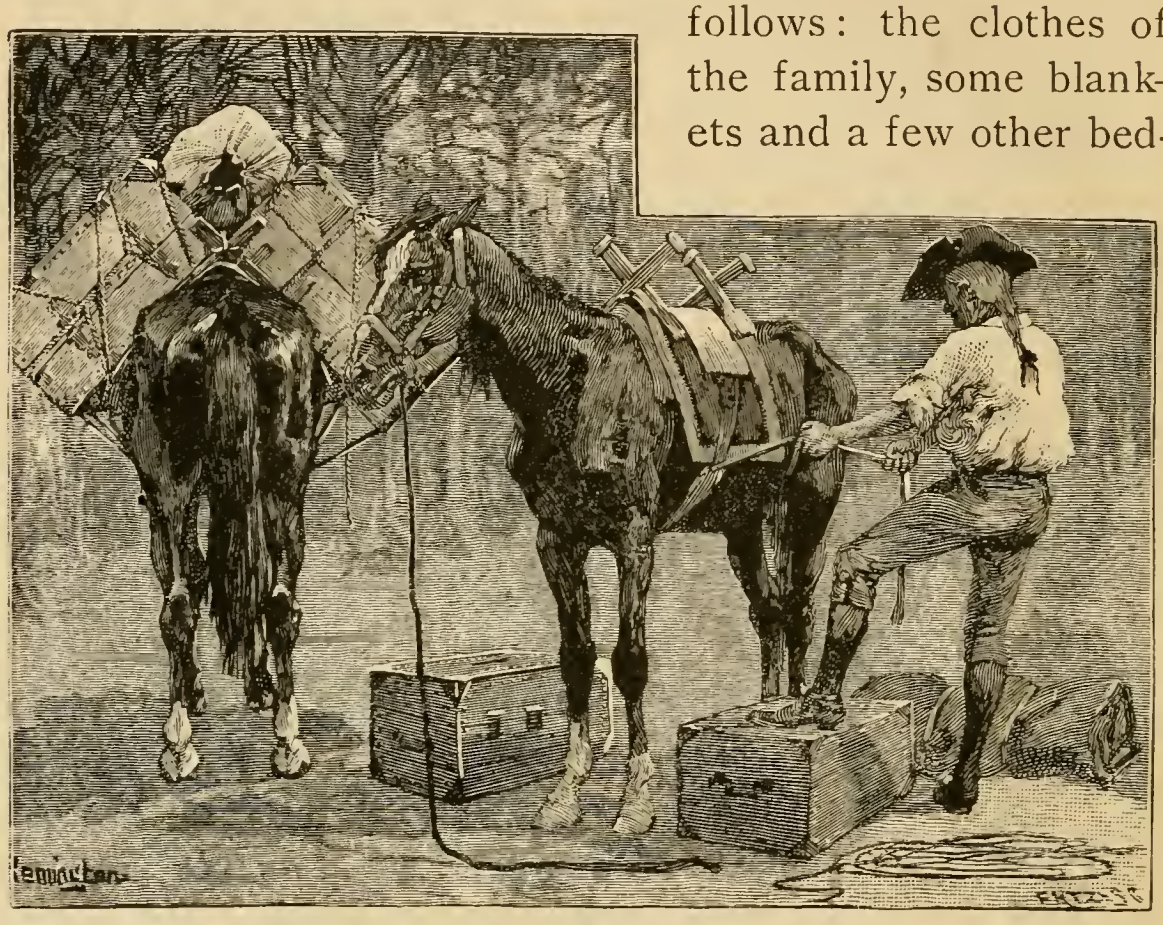
Pioneer Girl

Cotton was little known then; the people raised hemp, flax, and wool, spun them into thread with a hand wheel, wove the thread into cloth on a hand loom, and cut out and made up all their garments at home.

There was no other way to get clothing. There was no place to buy anything, except at the stores of Indian traders, and they kept very few things that white people wanted.

There were no roads and no bridges, so wagons and carts could not be used. The pioneer moved into the country on foot or on horseback and brought his household

goods on pack horses. These household goods would now be considered a very scant outfit. They were about as follows: the clothes of the family, some blankets and a few other bed-



Pack Horses

clothes, with bedticks to be filled with grass, hair, or other suitable material; a large pot, a pair of pothooks, an oven, a skillet, and a frying pan; a hand mill to grind grain, a wooden trencher to make bread in, a few pewter plates, cups, and other dishes; some axes and hoes, the iron parts of plows, a broadax and a froe, a saw, and an auger. Added to these were supplies of seed of field crops, garden vegetables, and fruit trees. The pioneer who had all these things was thought to be very well furnished indeed. Many pioneers did not have half so much.

When the family reached the place they wished to make their home, the men and boys cut trees and built a log house, split boards with the froe and made a roof, which

was held on by weight poles, since the pioneers had no nails and no place to get them. They split logs and hewed the sides flat and smooth to make a floor and door-shutters, built the chimney of logs and split sticks, covering the inside with a heavy coat of clay to keep the wood parts from taking fire. They finished the house by filling the spaces between the logs of the walls with clay mortar to keep out the cold wind. The cabin was rather rough and not very handsome, but it was strong and warm.

Carpets, mirrors, rocking chairs, and many other things with which we furnish our houses were unknown to the pioneer. He made some rough, strong bedsteads and tables, benches and three-legged stools, and drove some pegs into the walls, or fastened up some deer horns, to be

Log House

used as racks for clothing, guns, and other articles. Then he employed the best mechanic he could find to make a spinning wheel and a hand loom for his wife and daughters to use.

The family is now settled and all that are old enough go

to work. The horses and cattle are turned into the woods to eat grass in summer and cane in winter, and they need little or no feeding, but are taught to come home at night to get salt and a little grain.

The father and sons cut the small trees and bushes from a piece of land and chop girdles around the large trees to kill them. They make rails and build a fence around this piece of land, pile the brush and burn it, and they have a field ready to plow and plant. After the first crop has been raised there is usually plenty in the settler's cabin, for his land is new and very rich.

The mother and daughters spun, wove, knit, cooked, washed, dressed skins, and made clothing for the family. Wild game furnished all their meat, and maple sap their sugar; they got water from natural springs, and all the cooking was done on the fireplace.

Spinning Wheel

There were no schools, no churches, no towns, no railroads, not even a wagon road, — nothing but the vast wilderness filled with wild animals and wild Indians, with here and there a few white settlers. Do you not think it required brave hearts to live there?

That was about a hundred and forty years ago. The people of that day never saw a cooking stove nor a sewing machine, a cotton gin nor a wheat thresher, a grass mower nor a horse rake, a steamboat nor a railroad, a telegraph nor a telephone, a roller mill nor a street car, a barbed wire fence nor a can of vegetables, a brass cartridge nor a breech-loading gun, nor a hundred other things that are very common with us.

You must not think that these pioneers were stupid and ignorant. Many of them lived grand and noble lives. They loved liberty more than luxury, and, sacrificing ease for independence, they laid for us the foundation of a great commonwealth. It should be an important part of the business of every boy and girl in Tennessee to take good care of this precious inheritance.

At the pioneers' social parties that followed logrollings, cornshuckings, and quiltings, young men and maidens enjoyed, in their simple way, the same pleasures that have ever been dear to all young hearts. The boys and girls had games and sports as boys and girls have to-day. They worked and played beneath skies as fair as those of Italy, under the shadow of mountains grand in their beauty as the Alps, and beside streams more sparkling and musical than the classic Arno.

Old people, young people, and children, all had brave hearts and willing hands, and at Watauga, Carters Valley, and Nollichucky they were preparing the way for civilization.

WHAT HAVE WE LEARNED?

1. Military pioneers.
2. Civil pioneers.
3. Pioneers of Tennessee.
4. First settler. Date.

5. First three groups of settlements. Locate carefully.
6. First settlers not troubled by Indians.
7. Settlers find they are in North Carolina. Action.
8. Price paid to Indians for land.
9. One cause of some Indian wars.
10. Character of pioneer people.
11. Dress of pioneers. How obtained.
12. Outfit and method of moving.
13. Houses and furniture.
14. Work of the family.
15. Some things pioneers of Tennessee never saw. Why ?
16. What the pioneers loved most.
17. What the pioneers have done for us.
18. Pleasures of young people and children.
19. The three settlements.

CHAPTER VII

WATAUGA ASSOCIATION

After the pioneers had lived quietly a little while in their new homes in Tennessee they began to feel the need of something else besides log cabins, rich land, and plenty of game.

They had come to the new country to enjoy liberty and they had it in full. In fact, there was a little too much of it for a community where all were not good people. Some bad men came among the good ones and used their liberty to do wrong. There were no sheriffs, nor magistrates, nor judges in the new settlements to make disorderly characters behave themselves or to punish them for misbehaving. There was no place for the settlers to record the deeds to their land, no court to act upon the wills of people who died or to appoint guardians for their children, no officer authorized to issue a marriage license; in fact, the pioneers were without any government. It is true they were in North Carolina, but at first they did not know this, thinking instead that they were in Virginia; and if they had known all about their situation, it would have been of little value to them, for at that time, 1772, they hated the royal government in North Carolina, as many of them had fled from its oppression. Besides all this, a journey from Watauga to the capital of either North Carolina or Virginia would then have required more time and would

have been more difficult than a trip would now be from Fingerville to the capital of California.

Something had to be done to secure orderly and decent life for a civilized people. The pioneers promptly settled the question by forming a free government of their own. This government was the Watauga Association, organized in 1772.

At the beginning the association included only the Watauga and the Carter Valley settlements, but in 1775 it was known that some people of the Nollichucky Settlement were "Tories." Men from Wolfe Hill, Carters Valley, and Watauga went down to Brown's Store and made the Nollichucky people and all other disaffected people take the "oath of fidelity to the common cause" of American liberty. Nollichucky became part of the Watauga Association, and there was very little more of "Toryism" in Tennessee.

The original paper called "Articles of Association," that these people all signed and agreed to live by, has been lost, but from some other old documents we have learned a good deal about this simple and original form of government.

The people met in general convention and elected a committee of fourteen men who were to take the laws of Virginia as a guide and make laws suited to the needs of the new settlement. This committee was the legislative body. The Committee of Fourteen elected from their own number five commissioners who were to elect one of their own number chairman, settle all disputes, punish offenders, and discharge other duties similar to those performed by our county and circuit courts. This was the judicial body, but seems also to have had some executive powers.

The clerk of the court was elected by the Committee

of Thirteen. There was a sheriff and a prosecuting attorney, but we do not know by whom they were chosen. These were the executive officers, so far as we know.

It is not probable that the same men served all the time in any of these offices, but we know nothing of changes except in the office of clerk. Felix Walker, Thomas Gomley, William Tatham, and John Sevier were clerks at different times.

Here is a list of the officials as their names appear in a petition, without date, sent to North Carolina in 1776: —

COMMITTEE OF THIRTEEN.

John Carter. *Chairman.*	Charles Robertson.	Zach Isbell.
Jas. Robertson.	James Smith.	Jacob Womac.
John Sevier.	John Jones.	Robert Lucas.
William Bean.	George Russell.	William Tatham.
Jacob Brown.		

THE FIVE COMMISSIONERS.

John Carter. *Chairman.*
Charles Robertson.
James Robertson.
John Sevier.
Zach Isbell.

OTHER OFFICERS.

William Tatham. *Clerk.*
Lewis Bowyer. *Attorney.*
(The name of the sheriff is unknown.)

As a model of government the Watauga Association would not please a modern lawyer or politician, but under it the new settlements grew rapidly in numbers and thrift, and all seemed prosperous and happy.

The people had an absolutely free government, one that was wholly of their own making, one that had been established "by the consent of every individual." The stanch patriots who managed affairs thought that such a government ought to be respected and obeyed, — and it was. The commissioners held their sessions at regular times, recorded deeds, probated wills, issued marriage licenses, fined those

who were disorderly, sent rascals to the whipping post for small offenses and hanged them for greater ones, with the energy and promptness of men who were thoroughly in earnest about the discharge of public duties.

When the Revolution began, the Watauga Association named their country Washington District, in honor of General George Washington, and voted themselves indebted to the United Colonies for their share of the general expenses of the Revolutionary War.

This action made the British try to destroy the settlements. Alexander Cameron was Indian Commissioner for the British government among the Cherokees. He furnished guns and ammunition for the Indians and persuaded them to make war on the settlers.

In the spring of 1776, a friendly Indian woman, named Nancy Ward, told the white people that seven hundred Cherokee warriors, in two divisions, intended to attack the settlements. The chief, "Dragging Canoe," was to command one division, and a chief named "Old Abraham," the other.

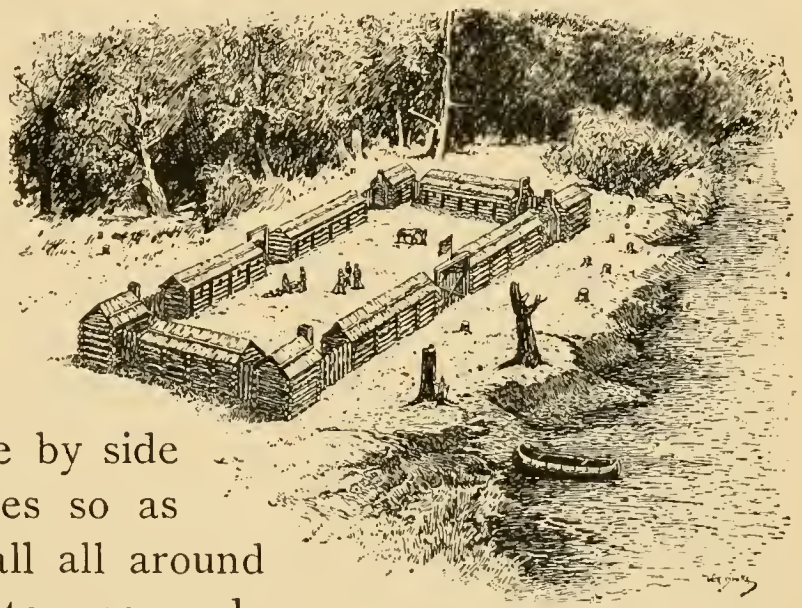
Dragging Canoe was to capture Heaton's Station, a fort between the two branches of Holston River, about six miles from their junction, and then destroy all the settlements in that region. Old Abraham was to capture the Watauga Fort and destroy everything in that region. After destroying the Tennessee settlements both divisions were to go into Virginia and there continue the robbing, burning, and killing. In the Virginia raid they were to be joined by "The Raven," a chief who was to lead a third band of warriors.

When the settlers heard of this, they were very much alarmed. They sent the news to their Virginia friends and asked them to send men and ammunition to help in

the defense. The Virginians sent both. The Tennesseeans made their forts stronger, gathered the women and children into them, and provided plenty for all to eat.

There were forty fighting men at Fort Watauga, and one hundred and seventy, including the Virginians, at Heaton's Station.

A pioneer fort or station was made by building at each corner of a square piece of ground a strong log house, with others between these if needed, all having their doors facing the inside of the square. Thick posts eight or ten feet high were then set side by side between the houses so as to make a solid wall all around the square. A gate was made of heavy timber and fastened on the inside with a strong chain or bar. Small openings were made in the walls for the men in the fort to shoot through. These openings were called portholes or loopholes. Sometimes the houses at the corners had a second story so much larger than the lower one that it projected two or three feet beyond the wall of the fort. From the loopholes of these blockhouses, as they were called, an enemy might be shot if he had succeeded in getting up to the wall of the fort to cut or burn it. Such a fort as this was a very good protection against Indians, as they had no cannon and the guns they used could not send a bullet through a thick log.



Fort

In July, 1776, the Indians came. The men at Heaton's Station, following the advice of Captain William Cocke and Isaac Shelby, marched out of the fort, met Dragging Canoe at Island Flats, killed many of his best warriors, wounded him, and totally routed his whole band. The white people did not have a man killed and had only five wounded.

The Watauga men were too few to march out and fight openly, but these forty good riflemen defeated Old Abraham's three hundred and fifty warriors when the fort was attacked, though the Indians tried for more than a week to capture it.

James Robertson was captain and John Sevier lieutenant of those forty brave pioneers. These are the two greatest men in the early history of Tennessee, but every man in that fort was a hero whose memory deserves to be honored whether his name is known or not.

After these battles a part of the Indians prowled about the settlements in parties of two or three, stealing cattle and horses, burning houses, and killing people whom they found alone, until the settlers killed most of them or drove them off. The people therefore decided that the best way to protect themselves from the Indian raids would be to attract the Indians' attention to their own homes and make them afraid of the white man's raids.

Virginia and North Carolina sent soldiers to take part in the expedition against the Indians. The Watauga men joined them, and they marched into the Cherokee country, killed all the Indians they could find, burned their towns, destroyed their crops, killed or drove away their horses and cattle, and tried to make them understand that attacking the Watauga settlements was a dangerous business.

This Indian war made all of the settlers determined

Whigs. Those who had been disposed to be Tories and had to be forced to take the oath, now hated the British for having set the Indians against them.

The Watauga settlements had grown rapidly under their simple form of government, and the people had hoped to establish a colonial government of their own similar to those of other American colonies. But the Revolutionary War had begun, and they thought themselves too few to fight all the Indians and British and Tories that might be sent against them, so they considered it best to join some other colony.

In August, 1776, they asked to be annexed to North Carolina. One hundred and thirteen men signed the petition for annexation, each with his own hand except two, who made their "mark." There were not more than six or seven hundred people in all the settlements, so these signers must have been about all of the men. From this we see that less than two per cent of the pioneers were unable to write. Our ancestors were not illiterate backwoodsmen.

In November, 1776, the Provincial Congress of North Carolina met at Halifax to draw up a bill of rights and form a constitution for the state. Among the delegates were John Carter, John Sevier, Charles Robertson, and John Haile from Washington District, so we may safely conclude that Watauga had been annexed, and we learn that three of the men who had helped to found the Watauga Association helped to frame the first free constitution of the State of North Carolina.

The Watauga Association, though annexed to North Carolina, seems to have continued its government until February, 1778. In November, 1777, Washington District became Washington County, with boundaries including

the whole of the present State of Tennessee. What a huge county that was! Can you give the boundaries?

Following is a list of the first justices of the peace in Washington County. These magistrates, who took the oath of office in February, 1778, composed the first county court that was ever organized in Tennessee.

William Bean.	J. Chisholm.	Thos. Price.
John Carter.	William Clarke.	Valentine Sevier.
Zach Isbell.	William Cobb.	John Shelby, Jr.
Robert Lucas.	Benjamin Gist.	James Stuart.
James Robertson.	Andr. Greer.	Jesse Walton.
Charles Robertson.	Thos. Houghton.	Rich'd White.
George Russell.	Jno. McMaihen.	Benjamin Wilson.
John Sevier.	Jno. McNabb.	Joseph Wilson.
Jacob Womac.	William McNabb.	Mich'l Woods.

Compare the first nine names with the names of the "Committee of Thirteen," and you will see that, although the Watauga Association had ceased to exist, the management of the public affairs of Washington County was largely directed by the same men that had helped to found and administer the first entirely free government in America.

The germ of Tennessee was the Watauga Association; the first government established on this continent absolutely free of religious tests, class distinctions, kingly dictation, or proprietary interference. It was "a government of the people, by the people, and for the people"; it served its purpose and has passed to its place of honor in the temple of history. Let us honor the memory of the pioneers who had the wisdom to found it and the courage to administer its difficult affairs through six years of toil and hardship on a remote and dangerous frontier.

WHAT HAVE WE LEARNED?

1. Need of the pioneers. Why?
2. Distance from civilization.
3. Watauga Association.
4. Articles of Association.
5. The legislative body.
6. The judicial.
7. The executive.
8. Changes in office.
9. The list of names.
10. Character of the government.
11. Prompt administration of law.
12. Washington District. Patriotism.
13. Conduct of the British.
14. Nancy Ward.
15. British and Indian plan.
16. Preparations of the Watauga Association.
17. A station or fort.
18. The battles at Heaton's Station and Watauga.
19. The two greatest men.
20. Indian methods after the battles.
21. Invasion of the Cherokee country.
22. Effect of the Indian war on "Toryism."
23. Petition for annexation to North Carolina.
24. The signers of the petition. A "mark."
25. The annexation, and end of Watauga Association.
26. First county court in Tennessee. Date.
27. Names of men connected with Watauga Association, first constitution of North Carolina, and first county court in Tennessee.
28. The first free government in America and its founders.

CHAPTER VIII

ROBERTSON AND SEVIER

James Robertson. — Colonel Richard Henderson of North Carolina bought from the Cherokee Indians a very large tract of land, lying partly in what is now Tennessee, and partly in what is now Kentucky, and called it Transylvania. Before making the trade with the Indians he employed Daniel Boone and several other hunters to go out and examine the land for him.

James Robertson

This party of hunters left Wake County, North Carolina, in the spring of 1769, and with them went a young man who wished to find for himself better land than the sandy pine ridges of North Carolina. This young man was James Robertson. He was born in Brunswick County, Virginia, in 1742, and while he was a small boy his parents moved to North Carolina, where he grew to manhood.

He married Miss Charlotte Reeves and was living with his wife and one child, in Wake County, when Boone and his party of hunters started over the mountains. He traveled with Boone and his companions as far as Watauga

and there stopped with William Bean and another settler named Honeycut.

Robertson was so pleased with the Watauga country, that he built a house and raised a crop there and then went back to North Carolina for his wife and child. In 1770 or 1771 he moved his family to their new home, and, as we already know, became one of the leading men in the Watauga Association. He was not related to his friend and associate, Charles Robertson, who was from South Carolina.

Late in the year 1778 James Robertson left Watauga and went to a new home deeper in the wilderness. He settled near where Nashville now is, and soon helped to organize a government there somewhat like the Watauga Association. He became chairman of the "Committee of Notables," and was the real leader of the new settlement in all of its struggles.

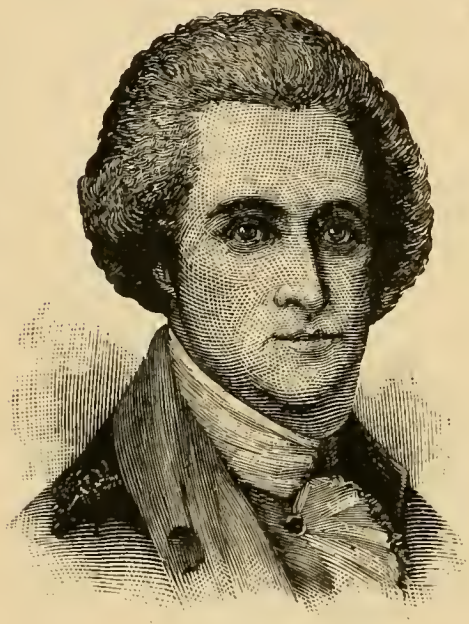
He was colonel and afterward brigadier general of his district, Indian Commissioner to the Cherokees, a member of the North Carolina Legislature, and, in 1796, a member of the convention that framed the first constitution of the State of Tennessee. He died at the Chickasaw Agency near Memphis, in 1814, while on a mission from President Madison to the Chickasaw Indians. His body was removed to Nashville in 1825.

He has very justly been called "The Father of Middle Tennessee." His long life was one of continual activity and usefulness. He was not a great scholar, but his letters indicate fair education. He was a cool, prudent, fearless, firm man, of keen judgment, good manners, and great kindness. His personal appearance is described by his granddaughter, Mrs. Cheatham, as follows: —

"He was about five feet nine inches in height, heavy

built, but not fat. His head inclined slightly forward, so that his light blue eyes were usually shaded by his heavy eyebrows. His hair was very dark, — like a mole in color, — and his complexion, though naturally very fair, was darkened and reddened by exposure. I remember him as being uncommonly quiet and thoughtful and full of the cares of business. We all loved and venerated him."

John Sevier. — The Huguenots of France were a religious denomination somewhat like American Presbyterians, and were so cruelly persecuted that many of them fled to England and America. Among the refugees who came first to England and then to America, was a family named Xavier. In England this name became Sevier. These Seviers were the ancestors of John Sevier, who was born in Rockingham County, Virginia, in 1745. He seems to have been reasonably well educated for the age in which he lived. He was married at seventeen years of age, and at twenty-eight was a widower with three sons.



John Sevier

In 1772 he visited Watauga and met James Robertson. Soon after this he moved to Watauga, and some time after the defeat of Old Abraham he married Miss Katherine Sherrill, who has been called his "Bonnie Kate."

He was a member of the "Committee of Thirteen," Robertson's lieutenant at the battle of Watauga, commander of the Tennesseeans at the battle of Kings Mountain and in many Indian wars, governor of the short-

lived State of Franklin, member of Congress from North Carolina and from Tennessee, and first governor of the State of Tennessee, and held many other important public positions. While on a mission from President Madison to the Creek Indians, in 1815, he died at the agency in Alabama. His remains were removed to Knoxville in June, 1889.

Sevier was five feet eleven inches high, weighed about one hundred and fifty pounds, had light hair, fair skin, blue eyes, was strikingly handsome in form and features, and remarkably kind and generous. His manners were graceful, winning, and exceedingly popular. He was a more dashing and brilliant man than Robertson and was his equal in courage, firmness, and self-reliance. He had no more solid qualities of character than Robertson, but was a man of broader views and greater statesmanship.

No history of Tennessee could be written without saying a great deal about Robertson and Sevier. As their names must be mentioned so often, it is best that you should be familiar with the lives of these greatest of all the pioneers of Tennessee. This sketch of them is very short, and you should read some larger books.

These two great men were lifelong friends. Both came to Tennessee in the early years of its settlement, both shared the perils and enjoyed the love and esteem of their fellow-pioneers, both devoted the whole of their long lives to the service of the state, both died far from home while on Indian missions for the United States government, and within a year of each other. The bodies of both were removed, long years after death, to be buried in the soil of the state they had loved and served so well. Truly, "they were very lovely in their lives, and in death they were not divided."

WHAT HAVE WE LEARNED?

Of James Robertson? Of John Sevier?

1. Birth, time and place.
2. Education.
3. Marriage.
4. Settlement in Tennessee.
5. Public services.
6. Qualities.
7. Personal appearance.
8. Comparison.
9. Death and burial.

CHAPTER IX

KINGS MOUNTAIN

When the Watauga settlements became Washington County, in 1778, a wagon road was opened across the mountains into the settled parts of North Carolina, and travel became much easier. Many more people then moved into Tennessee, and in 1779 the huge County of Washington was divided, part of its territory being cut off to form Sullivan County, the second county organized in Tennessee. Isaac Shelby was appointed colonel of the new county, and, after a short time, John Sevier was made colonel of Washington County. In the same year Jonesboro, the oldest town in Tennessee, was laid out and made the county seat of Washington County.

Isaac Shelby

The Tennesseeans were known to be thorough Whigs, and as they increased in numbers they became more able to aid the Revolutionary cause, and they did this to their utmost. To their enemies they were a very troublesome sort of soldiers. They had no baggage to look after. All were mounted on fleet horses that had been raised to make their own living in the woods. Each man carried a small sack of parched corn which he ate instead of bread, and killed wild game for his meat. A blanket and

a long Deckhard rifle, with the usual hunting knife and tomahawk, completed his equipment. They came suddenly upon their enemies, fought with deadly effect, as every man was a sure marksman, and moved away so swiftly as to defy pursuit.

When Alexander Cameron set the Indians to making war on the Tennessee settlements, as related in Chapter VII., he was obeying the orders of Captain Stuart, the British Indian agent for all of the southern tribes. This was carrying out a general plan of the British government for the Indians to attack the Americans on the west while the British soldiers were attacking them on the east. We have learned how the Indians were defeated at Watauga and Island Flats. Colonel William Moultrie shot the British war ships to pieces at Sullivans Island so that the British army could not be landed at Charleston to make the attack on the east, and the whole plan of 1776 was a failure.

A similar plan was laid out by the British for the year 1780, and Governor Rutherford of South Carolina asked Colonel Sevier and Colonel Shelby to send him all the men they could spare to help defend Charleston. Two hundred men started, but the British had captured Charleston before they had gone halfway on their journey. They then joined General McDowell of North Carolina and won a battle at the Enoree River.

Next the British took Savannah, and then Cornwallis defeated Gates at Camden, and the British and Tories held nearly all the important places in Georgia, South Carolina, and North Carolina. The American cause seemed lost. McDowell's forces disbanded and crossed the mountains.

Among the British officers Colonel Patrick Ferguson,

who commanded the left wing of Cornwallis's army in North Carolina, was one of the most active and energetic in punishing Whigs and gathering Tories into the army to go with Cornwallis into Virginia to finish the war there.

Ferguson sent word to the Tennesseans, or over-mountain men, as he called them, that he intended to make them a visit and burn their houses and destroy their settlements unless they returned to their allegiance to the King of England. As they had no idea of returning to allegiance to any king, they decided to pay Colonel Ferguson a visit instead of waiting for him to call on them.

Sevier and Shelby got Colonel William Campbell of Virginia, Colonel Cleveland of North Carolina, and some other leaders who had small bodies of soldiers, to join them, and made Colonel Campbell commander of their whole force of about fifteen hundred men. Ferguson was at Gilbert-town, on his way to Watauga, when he heard that the over-mountain men, with their Deckhard rifles, were coming to call on him.

This was not what Colonel Ferguson expected, nor was it at all to his liking. He decided that Gilbert-town was not a good place to receive company; especially visitors that were very handy in the use of Deckhard rifles. He therefore retreated to Cowpens and sent to Cornwallis for more men, though he had about two thousand, partly British regulars and partly Tories. Some of his messengers were captured by the Whigs, and none reached Cornwallis until about the time of the battle of Kings Mountain. No help came, and his Tories deserted him until he had only about fifteen hundred men.

From Cowpens he marched to the boundary line between North Carolina and South Carolina, and posted his men on the top of a very high, steep hill, which he named

Kings Mountain, and declared that all the over-mountain men and all the other rebels in America could never drive him from his position.

Campbell and the hardy pioneers followed him steadily and rapidly, making the last part of their march all day and all night in a drenching rain. Many of the men could not keep up with the rapid march, and only about eleven

Battle of Kings Mountain

hundred took part in the battle, — more than half of them being Tennesseeans.

On Saturday, October 7, 1780, the pioneers surrounded the mountain and began the battle. Ferguson was a brave and skillful officer, but the pioneers were better marksmen than his men, and his soldiers fell thick and fast around him. De Peyster, his second in command, begged him to surrender, but he refused, cut down the white flag that was twice raised, sounded his silver whistle

to rally his men, and stubbornly continued the battle until he was shot dead. This was the end of Ferguson's vain threat to burn the houses and destroy the settlements of the over-mountain men. The over-mountain men had killed him and destroyed his army to protect their own homes. Not only had they done this; they had cut off the left wing of Cornwallis's army, and he was forced to retreat from North Carolina.

When Ferguson fell, De Peyster surrendered at once. The actual fighting lasted a little more than one hour. Two hundred and twenty-five British and thirty Americans were killed. One hundred and eighty British and sixty Americans were wounded. Eight hundred prisoners, fifteen hundred guns, many wagons and horses, and a large amount of plunder of various kinds were surrendered.

The prisoners were sent into Virginia, and the wagons and other property that could not be carried away were burned. After hanging nine Tories, who had been guilty of desperate crimes, the over-mountain men went quickly back to their homes, as they feared an Indian raid might occur while they were absent.

The battle of Kings Mountain marks the turning point in the Revolutionary War. It was won chiefly by the skill and energy of Sevier and Shelby and the heroic courage and endurance of their patriotic soldiers. These men were pure patriots who served their country because they loved their country, not because they expected or received any pay. The early settlers of Tennessee richly deserved the high honor of being called "THE REAR GUARD OF THE REVOLUTION." This is the title of a very charming book, by James R. Gilmore, in which is told much about John Sevier and James Robertson and the Watauga settlement.

WHAT HAVE WE LEARNED?

1. First county of Tennessee. Size.
2. Second county. Why organized. Date.
3. Military commanders of each county.
4. Importance of county colonel at that time.
5. Oldest town in Tennessee.
6. Tennessee soldiers of the Revolutionary period.
7. War plans of the British for 1776. Result.
8. The call for Tennesseeans in 1780.
9. American disasters.
10. Colonel Ferguson and his message to the over-mountain men.
11. Plan and arrangements of the Tennesseeans.
12. Ferguson's preparations to receive his expected visitors.
13. The march and number of men in the battle.
14. Battle of Kings Mountain.
15. After the battle.
16. Importance of the victory.
17. "The Rear Guard of the Revolution."

CHAPTER X

INDIAN WARS

THE war that began with the Indian attack upon the Watauga settlements has been described in Chapter VII. This was not the first nor the last Indian war in which the Watauga people were engaged. The others of most importance to the Watauga settlers will be described in this chapter.

Point Pleasant.—In 1774 Lord Dunmore, Governor of Virginia, sent some surveyors into Kentucky to lay out land which had been bought from the Indians by the treaty of Fort Stanwix. The Indians killed the surveyors and began a war on the Virginia settlers. The governor ordered General Lewis to raise an army and kill the Indians or drive them out of Kentucky.

At that time the Watauga settlements were claimed by Virginia. Captain Evan Shelby, the father of Isaac Shelby, raised a company of fifty men at Watauga and joined General Lewis's army. Isaac Shelby was lieutenant, and James Robertson and Valentine Sevier, a brother of John Sevier, were sergeants in that company.

October 6, 1774, the army camped on the banks of the Ohio River, where Point Pleasant now is, and sent out hunters each day to supply the camp with game. A little before daylight, on the morning of October 10, James Roberston and Valentine Sevier started out hunting and met an army of Indians coming to attack the camp. They

fired on the Indians and ran back to the camp. Soon the battle began. It lasted all day and was one of the fiercest ever fought by the Indians. They were thoroughly beaten in the end, and fled across the Ohio River. This was Watauga's first experience in Indian wars.

Chickamauga. — The Chickamaugas were the most ferocious and lawless of all the Indians, and they had been joined by a number of white outlaws worse than themselves. In 1779, the British Indian agents were collecting in the Chickamauga towns, just below where Chattanooga now stands, the guns and ammunition to be used by the Indians in the campaign of 1780, already explained in Chapter IX. The settlers did not know this, but they did know that the Chickamaugas were prowling about, stealing and killing, and that they seemed to have plenty of guns and ammunition. The settlers suspected where these came from and determined to destroy the Chickamauga towns.

Captain Evan Shelby was chosen by North Carolina and Virginia to command the expedition against the Chickamaugas. He knew all about Indians and their habits, and was himself as silent and sly as an Indian. His force floated down the Tennessee River in boats and came upon the Chickamaugas so unexpectedly that they were able to offer little resistance. He killed their braves, destroyed the British guns and ammunition, burned their towns and their corn, and left them scattered in the woods and too busy getting enough to eat to trouble the white people for at least a year after his visit.

Boyds Creek. — When Sevier and his men returned from Kings Mountain, they found that they had not reached home a day too early. The Indians were preparing to attack the settlements. Sevier determined to treat them as he had treated Ferguson, — go to them instead of wait-

ing for them to come to him. He gathered his trusty riflemen, met the Indians at Boyds Creek, and slaughtered them without mercy.

Echota. — After the battle at Boyds Creek, Sevier pushed forward to the Little Tennessee River and defeated another body of Indians at Echota. As this was the home of Nancy Ward, the friendly Indian woman, it was not destroyed. All the other towns of that region were burned.

Tellico. — The towns along the Tellico, Hiawassee, and Chickamauga were laid in ashes, and Sevier pushed on to the Coosa River in Georgia. Everything that could be of any use to the Indians was burned, broken, killed, or carried away. Sevier took only prisoners enough to exchange for white people that had been carried off by the Indians. Behind him he left only dead Indians and cattle, smoke-blackened ruins, and ravaged fields. This whole expedition lasted sixty-three days, and Sevier had only one man killed.

Tuckasege. — In 1781 the Cherokees living high up in the mountains, about the head waters of Little Tennessee River, began stealing horses and cattle and killing settlers. They thought their country was too wild and rough for Sevier to reach them, but he and his bold riflemen climbed over the wild, high mountains and carried slaughter and fire and destruction to the Tuckasege towns as they had done to the valley towns the year before.

To go into the details of all of Sevier's Indian wars would make this chapter too long. Enough has been told for you to understand his methods. Sevier was a really kind and generous man, but he was a fearless and resolute one. He knew the Indians well, and knew that they would continue to plunder and kill white people

unless they were made afraid to do it. For this reason he adopted measures that made the name of "Nollichucky Jack," as the Indians called him, a dread and a terror to the Cherokees.

The Indians were treated very unjustly in many ways, and wicked white men often led them into trouble. We have seen how the British brought ruin upon them by

Indian Battle

starting them into war with the Watauga or East Tennessee settlers. Further on in this history we shall see how the Spaniards led them into trouble with the Cumberland, or Middle Tennessee, settlers. The Indian's greatest mistake was that he would not try to become civilized. A civilized and a savage people can never live peaceably together. The white men knew this and, as the Indians would not be civilized, the white people tried to exterminate them as they did wolves or bears or other dangerous animals.

WHAT HAVE WE LEARNED?

1. Formation of General Lewis's army.
2. The Watauga company.
3. Battle at Point Pleasant.
4. Character of the Chickamaugas.
5. British arrangements among them.
6. Captain Evan Shelby's expedition.
7. Boyds Creek.
8. Echota.
9. Tellico, Hiawassee, Chickamauga, and Coosa Rivers.
10. Length of Sevier's campaign. Results.
11. Tuckasege.
12. Sevier's methods.
13. Conduct of white men toward the Indians.
14. The Indian's greatest mistake.

CHAPTER XI

STATE OF FRANKLIN

In 1783 another section of territory was cut off from Washington County and formed into Greene County. There were then three counties in what is now Tennessee,—Washington, Sullivan, and Greene. The people of Tennessee, in spite of all difficulties and dangers, had steadily increased in numbers and wealth and were beginning to feel strong enough to form a new state of their own.

The Revolutionary War was over and the Congress and all the states were very much in debt for war expenses. Congress had proposed that the states should give their western lands to the general government and that Congress should sell these lands and pay all of the debts.

The states agreed to this plan, and in 1784 North Carolina ceded to the United States what is now the State of Tennessee and gave Congress two years in which to accept or reject the grant. This seemed at first to be all good enough, but very soon facts were discovered that alarmed the people of Tennessee very much.

There had been no suitable arrangement for a government during the two years that Congress might delay accepting.

There had been no brigadier general appointed for the three counties, and no one else could lawfully call out the soldiers. The Indians might attack the settlers at any time and kill and plunder as they pleased.

No judge of the superior court had been provided, and no one else could legally try criminal cases. As soon as this should become known, the horse thieves and murderers and bandits of all classes would crowd into the settlements, where they would be safe from law and do as they pleased.

The people had no desire to live through two years of Indian butchery and lawlessness. They abused North Carolina roundly, said that she cared nothing for her children west of the mountains, and had never been anything more than a stepmother to them at best. After saying as many bad things of their stepmother as they could think of, they determined to take care of themselves in their own way, without leave or license from the State of North Carolina or any one else.

Each military company elected two representatives, and these representatives formed the County Committee. The County Committees called a general convention which met at Jonesboro in August, 1784, and elected John Sevier president and Landon Carter secretary. This convention resolved to form a new state and provided for another convention to form a constitution and start the new government. Soon a very strange constitution, providing that lawyers, doctors, and preachers should never be members of the legislature, was presented. It also contained several other things so new and strange that the people would not have it. Then the constitution of North Carolina, with a few changes, was adopted, and the new state was named Franklin. Frankland was first proposed, but it was changed to Franklin in honor of Dr. Benjamin Franklin.

John Sevier was elected governor of the new state, and David Campbell judge of the superior court. Greeneville was made the capital of the state. The first legislature

met early in 1785; Landon Carter was speaker of the Senate, and Thomas Talbot was clerk. William Cage was speaker of the House, and Thomas Chapman was clerk.

The new government went at once into the discharge of all the duties of a regularly formed state. It made treaties with the Indians, opened courts, organized new counties, and fixed taxes and officers' salaries to be paid in money, corn, tobacco, whisky, deer skins, mink skins, beeswax, tallow, hemp, flax, linsey, wool, bacon, and in fact almost anything in common use among the people. What a time the tax collectors must have had!

When the Governor of North Carolina heard what was going on over the mountains he sent an address to the people of the new state, ordering them to disband their government and return at once to their allegiance to the State of North Carolina. The Legislature of North Carolina repealed the act of cession to the United States, John Sevier was appointed brigadier general of the militia, and David Campbell was appointed judge of the superior court of the district.

John Sevier at once advised the people to drop the Franklin movement, as North Carolina had provided all that was necessary for their proper government and protection. They would not listen to his advice, but said they would have a new state and that he must be their governor. As he could not make them follow his advice he determined to serve them, and for more than two years he put forth every effort of his splendid talents to establish and maintain the State of Franklin.

Two parties grew up in the country,—the Franklin party and the North Carolina party. John Sevier was the leader of the Franklin party, and a man named John Tipton, of the North Carolina party. Tipton was at first strongly in

favor of the Franklin movement, but when he saw that the people preferred Sevier for governor, he changed to the other side. He hated Sevier more than he loved any party or principles. Most historians seem to consider him a very high-tempered, narrow-minded man.

The Legislature of North Carolina passed acts of pardon for all those who would return to their allegiance, and Governor Caswell issued proclamations in a kind and generous spirit, and these acts led many people to think better of North Carolina than they had done a year before. Besides this, a great many people began to be afraid that if they did not return to their allegiance their stepmother might conclude to give them a little of the persuasion that mothers sometimes give when their children are naughty and unruly. For these and other reasons the North Carolina party became stronger every day. After a while a set of North Carolina officers were elected and there were two governments in force in the same country.

The rival officers quarreled and fought over their supposed rights; the stronger party often turned the weaker one out of doors and took possession of the courthouses, jails, and public records; the people did not know to which officers they ought to pay taxes, and therefore paid no taxes at all; marriage licenses, guardian bonds, mortgages, deeds, and all public papers recorded by one party were not recognized as lawful by the other, and everything was getting into such a tangle that many of the people heartily wished that they had never heard of the State of Franklin.

Sevier tried with all his might to persuade North Carolina to agree to the independence of the State of Franklin, but North Carolina would not do it. He then tried to get the United States Congress to recognize the state, but Congress would not listen to the proposition. Finally he

tried to get the help of the State of Georgia, but Georgia said it was none of her affairs and that North Carolina and Franklin must settle it between themselves.

Day by day the Franklin party became weaker, and when Sevier's term as governor expired, in March, 1788, the State of Franklin was dead and North Carolina was in full control. Sevier went on an expedition against the Cherokees, and on his return was arrested and handcuffed by order of Tipton, who held office under North Carolina.

Sevier was sent over the mountains to be tried for treason; that is, attempting to form a separate government within the territory of a state and refusing to obey the governor when ordered to return to his allegiance to North Carolina. He was rescued by his friends, neither the judge nor the sheriff seeming to care, and was never tried. Really, nobody except Tipton was very anxious to have him tried. He was soon elected to the Senate of North Carolina, was restored by act of the legislature to all his former privileges, and was made brigadier general of the Washington District. In 1789 he was elected a member of the United States Congress from the western district of North Carolina, and was the first congressman from the Mississippi Valley. Year after year his fame increased until the end of his long life, and he is, perhaps, the grandest figure in Tennessee history.

It is not at all probable that the Franklin movement was a willful rebellion or an ambitious revolution. John Tipton and a few others like him were very anxious to have the State of Franklin until they found that they could not get the offices they wanted, and then they turned against it. Perhaps some men of the Franklin party were influenced by bad motives, but the great majority were not. Sevier, Cocke, Doak, Ramsey, Campbell, Carter, Houston, and many others,

who held the high offices of the Franklin government, had all the offices they wanted before the State of Franklin was formed and also after it ceased to exist. They were all great and good men who had the unbounded confidence of the people and had nothing personal to gain by the formation of a new state.

The State of Franklin was organized because the people demanded it. They knew that the formation of a new state had been provided for in the annexation of Watauga to North Carolina. They were beginning to feel strong enough for the change, and when they considered themselves abandoned by North Carolina without law or protection they thought the time had come to form the new state.

WHAT HAVE WE LEARNED?

1. Counties in 1783.
2. Increase in numbers and wealth.
3. Plan for paying the Revolutionary war debts.
4. Cession of Tennessee to the United States.
5. Cause of alarm among the settlers.
6. Opinions of North Carolina.
7. Organization of the State of Franklin.
8. Chief officers and capital.
9. Acts of the new government.
10. Action of the governor and legislature of North Carolina.
11. John Sevier's advice. Result.
12. The two parties and their leaders.
13. Action of Governor Caswell and its effect.
14. The two sets of officers. Resulting confusion.
15. Sevier's efforts to establish the new state.
16. End of the State of Franklin.
17. Sevier's arrest and result.
18. Sevier restored to citizenship and office.
19. Was the formation of Franklin a rebellion?
20. Character of the prominent men of Franklin.
21. Real cause of the Franklin movement.

CHAPTER XII

THE CUMBERLAND SETTLEMENTS

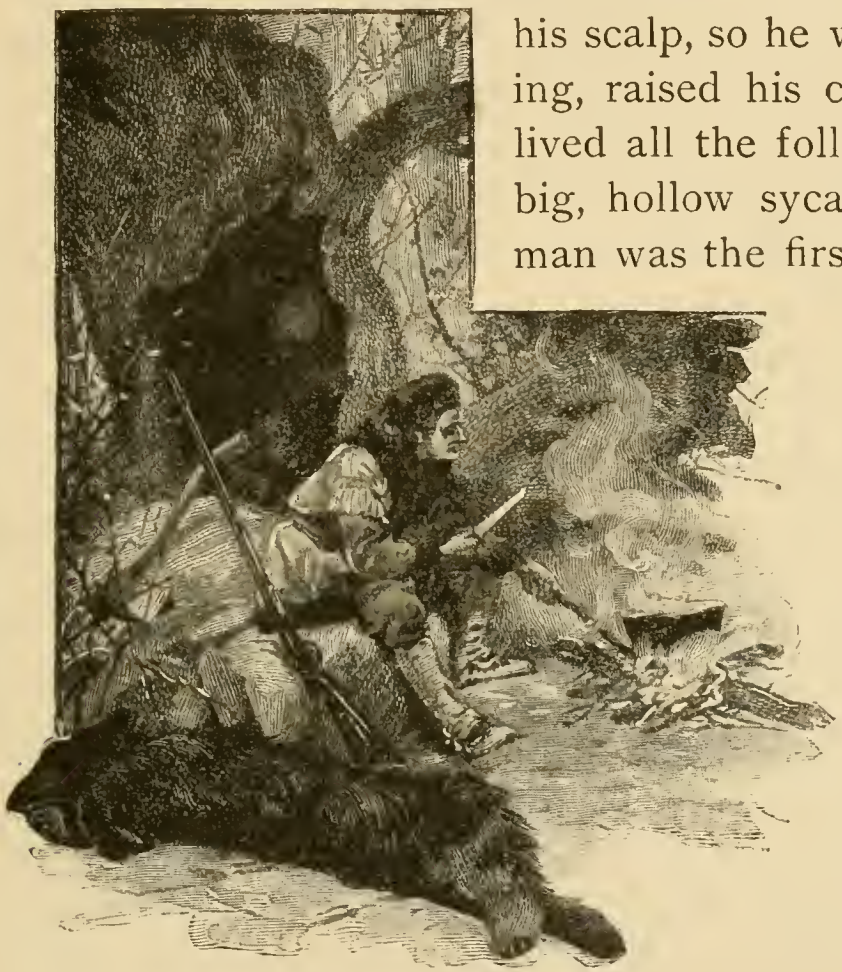
Do you remember anything of Colonel Richard Henderson and his "Transylvania" purchase mentioned in Chapter VIII.? He had a number of partners, and they were all together called "The Transylvania Company."

All the fine land he bought from the Indians was worth nothing unless he and his partners could get settlers to live on it. Land that produces no crops or other wealth is of no real value.

Many of the Indian chiefs were in favor of this sale of land because they thought that white settlers along the Cumberland and Kentucky rivers would keep northern Indians off their southern hunting grounds. Oconostota, a famous Cherokee chief, opposed the sale and predicted that the white people would have a great deal of trouble in settling the country they had bought. His prediction was correct, as we shall see in the course of this story.

The Transylvania Company offered large tracts of good land for a very small price to any one who would settle on their purchase. In 1778 Thomas Sharpe Spencer and a party of hunters came from Kentucky to settle in Middle Tennessee near where Nashville now stands. The place was then called Big Salt Lick or French Lick, and was a wild, lonely, dangerous country. After clearing a piece of ground, near Castalian Springs, in what is now Sumner County, planting corn, and learning the dangers of living there, all of the party except Spencer said they would rather

keep the hair on their heads and not have quite so much rich land and fat game. They went back to Kentucky, leaving Spencer by himself in the wilderness. He said he would risk the Indians' getting his scalp, so he watched his clearing, raised his crop of corn, and lived all the following winter in a big, hollow sycamore tree. This man was the first actual settler in Middle Tennessee.



Spencer at Home

Spencer did not know that there was a white man within a hundred miles of him, but there were along the Cumberland River a few hunters and trappers in the service of Captain De Mumbreun, or Montbreun, a French fur trader who afterward lived at Nashville.

Spencer was a man of gigantic size. One day he passed near the hut of one of these trappers; soon afterward, it is said, the trapper saw his tracks and ran away to the French settlements on the Wabash River and reported that the Cumberland country was inhabited by such big giants that he was afraid to stay there. This story may be true or it may be a joke that some one made on the great size of Spencer's feet.

We do not know what promises the Transylvania Company made to James Robertson and some of his Watauga friends, but they must have been very liberal. Late in the year 1778, Robertson, seven other white men, and one negro left Watauga and traveled through the woods to the place where Spencer had raised his crop of corn during the summer of that year. They at once selected land near French Lick, built cabins and forts, cleared fields, and planted corn the following spring. Soon after the arrival of Robertson's party they were joined by another under the lead of a trapper named Casper Mansker.

Robertson went to see General George Rogers Clark at Kaskaskia, about the title to their lands, and on this trip met John Raines and a party of pioneers on their way to Kentucky. He persuaded them to go with him to French Lick. Soon after Raines came a party of settlers from South Carolina moved in, and, for a little while, there was almost a steady stream of immigrants coming into the Cumberland country.

Robertson and his companions had left their wives and children at Watauga. December 22, 1779, a flatboat called the *Adventure*, and a number of small craft, left Fort Patrick Henry, on the Holston River, to float down the Holston into the Tennessee, and down the Tennessee to the Ohio, then to be poled and paddled up the Ohio to the Cumberland, then up the Cumberland to French Lick. This fleet of boats was under the command of John Donelson, and carried the families of Robertson and his associates, in company with many other immigrants, to the Cumberland country. They did not reach Nashville, or French Lick, until April 24, 1780.

John Donelson kept a daily journal of this long voyage. It is one of the most interesting old documents of Tennes-

see history, but is too long to be given here. You can find the whole of it in Ramsey's *Annals of Tennessee* and in some other large histories.

Donelson's journal tells how these brave adventurers suffered from hunger and cold, and storms and wrecks, and sickness and Indian attacks, and how they succeeded in passing through all of these, and many other perils, and finally landing at the Big Salt Lick to take possession of the log-cabin homes that loving hands had built for them.

All of the immigrants that have been mentioned did not settle at Nashville. In May, 1780, there were eight regular stations, or forts, and some scattered settlements. The stations were Nashborough, the present Nashville; Freeland's, north of Nashville; Gasper's, farther north at Goodlettsville; Fort Union, about six miles up the river from Nashville; Eaton's, on the east side of the Cumberland about two or three miles below Nashville; Stones River, west of the Hermitage; Asher's, very near Gallatin; and Bledsoe's at Sulphur Springs, or Castalian Springs, in what is now Sumner County. Can you describe a pioneer fort or station? If you cannot, turn back and read Chapter VII.

As soon as the pioneers had established homes in the wilderness they set about organizing a government that would insure decency and good order in the new settlements. Each station sent representatives to Nashborough, and they drew up a "Compact of Government" which was signed, May 13, 1780, by two hundred and fifty-six persons, only one man making his "mark."

The "Compact of Government" is a long document that may be found in Putnam's *History of Middle Tennessee*. It provided a government suited to the needs of the

time and place for which it was made. The judicial and executive powers were placed in the hands of twelve "Notables" or "General Arbitrators." James Robertson was made the chairman of this body and was therefore the real governor of the colony and the commander of the militia.

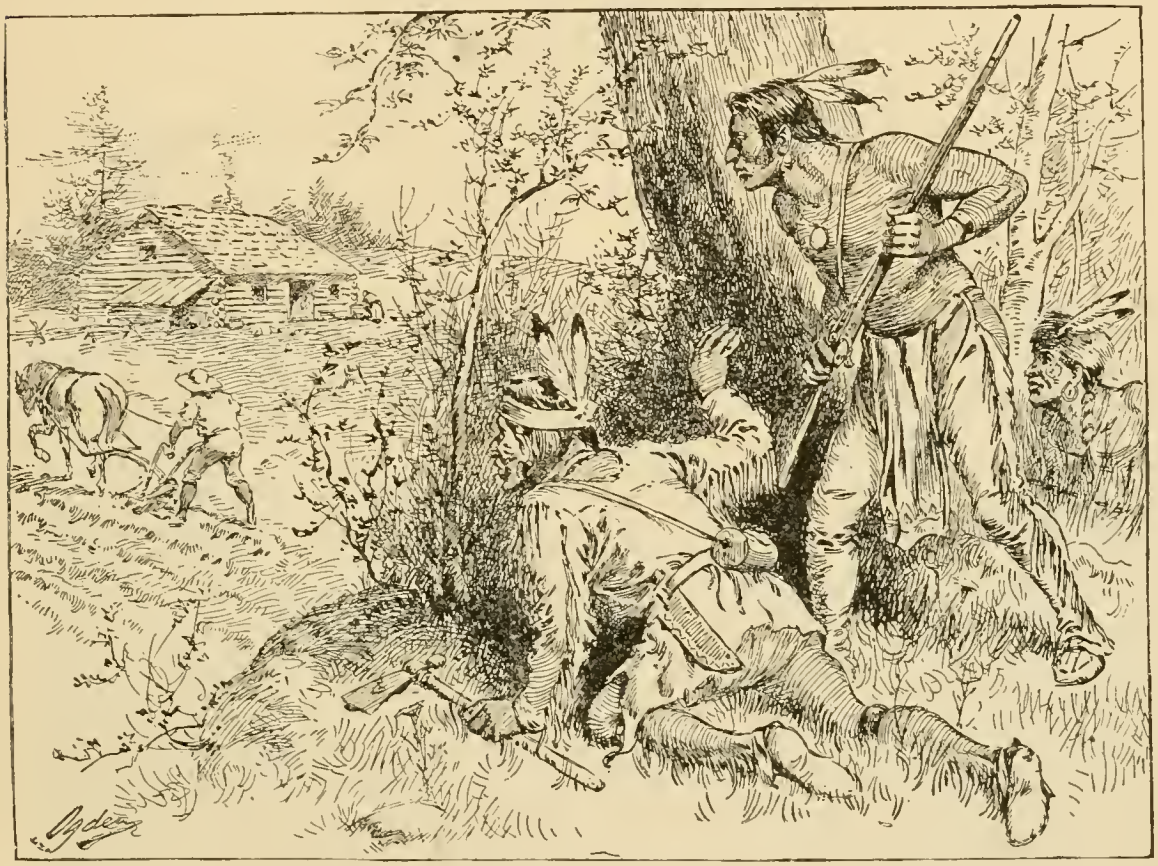
Robertson and his associates in office went to the discharge of their public duties in much the same manner as did the "Committee of Thirteen" at Watauga, except that they never hanged any one. The "Compact of Government" did not give them that power.

Until the summer of 1780 the Cumberland settlers were not troubled by Indians. There were three reasons for this. 1. John Sevier had given the Cherokees enough of war to keep them quiet for a little while. 2. One of the boats in Donelson's fleet carried a family that had smallpox. This boat was kept behind the others. The Indians captured it, killed the people, plundered the boat, took smallpox themselves, and died by hundreds. 3. The winter of 1779–80 was so severe that the Cumberland River was frozen deeply enough for cattle to be driven across it on the ice.[1] This severe weather made game very scarce and kept the Indians busy making fires and getting enough to eat.

In the summer of 1780 the Indians began to kill the settlers and hunters that they found alone or in small parties, and this was kept up all the season. There was

[1] Only twice, if at all, in the history of Tennessee has the weather been so cold as in 1780. On "Cold Friday," February 5, 1835, cattle and hogs were frozen to death. On the night of February 12, 1899, the official record shows 29 degrees below zero at Trenton, 28 at Union City, and 27 at Dresden. These are the lowest records in the state. We have no official record for 1780 and 1835.

no open attack upon the settlements, but if a man went out to gather corn, to hunt, to feed his stock, or to visit a neighbor he was in constant danger of being shot by an Indian hidden away in a thicket or canebrake.



Indian Warriors

In spite of this constant danger and loss of life, the Cumberland settlements were growing stronger and better prepared to resist the fierce Indian war which came upon them the next year.

WHAT HAVE WE LEARNED?

1. The Transylvania Purchase.
2. Indian views of the treaty and sale.
3. Inducements to settle in the Cumberland country.
4. The first settler in Middle Tennessee.
5. Spencer and the Frenchman.

6. James Robertson and his party.
7. Other settlers.
8. The voyage of the *Adventure*.
9. John Donelson's journal.
10. The eight stations or forts.
11. The Compact of Government.
12. No Indian troubles until the summer of 1780.
13. First Indian warfare on the Cumberland.
14. Progress of the settlements.

CHAPTER XIII

DAVIDSON COUNTY

In the spring of 1781 the Indians determined to destroy the Cumberland settlements, and Cherokees, Creeks, Chickamaugas, and some others united for this purpose. They

Defense of Nashborough

attacked the fort at Nashborough, April 2, 1781, and were totally defeated by the heroic settlers in a savage fight called the battle of the Bluffs. At a critical time in the battle, Mrs. Robertson, it is said, turned out of the fort about fifty fierce dogs and set them on the Indians.

After their defeat the Indians divided into small parties, stole horses and cattle, burned houses, and killed people who were at work or out hunting. They could quack like ducks or gobble like turkeys or imitate the cries of nearly all wild beasts and thus lead hunters up to their hiding places and shoot them. The white men soon learned this trick and turned it against the Indians. Mansker, Spencer, Castleman, and many others became even more expert at "gobbling up" Indians than the Indians were in deceiving them.

For years every man in the Cumberland settlements slept with a loaded rifle within reach. If one plowed or chopped, others stood guard for him with loaded guns ready for use. Some one was constantly on watch at the gates of the forts, and scouts ranged the woods in all directions. No one outside of a fort was safe for a single moment. James Robertson is said to have slept with one eye open every night; that is, he was constantly watchful and careful for the safety of the settlement. He was a wonderful man, — a man of iron when necessary, — but withal so kind and true that he was the friend, the guide, the counselor and commander of all the people, and the real "Father of Middle Tennessee."

In 1783 the Cumberland settlements were organized into Davidson County, embracing in its territory all of Middle Tennessee north of Duck River. A Court of Pleas and Quarter Sessions (county court) was established by North Carolina and the "Compact of Government" came to an end. A log courthouse eighteen feet square, and a jail of smaller size and like material, were built. Nashborough was made the county seat, and its name was changed to Nashville in 1784. James Robertson was elected representative to the North Carolina Legislature, and attended the

sessions regularly, though he had to go and come more than six hundred miles, and half of the way at the constant risk of his life. What a brave, true-hearted man he must have been!

The newly formed county court seems to have been about the nearest approach to an omnipotent body that ever existed in North America. It levied and collected taxes, cleared roads, laid out towns, sent offenders to jail and the whipping post, opened and operated a land office, regulated the currency, made and enforced sumptuary laws, raised and equipped armies, declared war and made treaties, tried to negotiate with a foreign nation, — Spain, — for the navigation of the Mississippi; in fact, did a little of everything within the power of a governor, legislature, and courts of a state, besides several things that were not. There seems to have been only one thing that it could not do; that was to draw money from the North Carolina treasury. Not a penny would North Carolina ever spend for the benefit of her western settlers.

Strange as the proceedings of Davidson County Court may now appear, it was necessary that those magistrates should act as they did. Immigrants were constantly coming in and were a welcome addition to the strength of the settlements. They had to buy corn until they could raise a crop. Now, if some one who had corn to sell wished to ship it down the Cumberland River and sell it to a Kentucky distiller, the court would issue an order forbidding it. This looks like taking a man's personal rights from him. We should call such an order a sumptuary law. But it was a necessity; the corn was needed to make bread for the incoming settlers until they could raise a crop.

It seems to us very absurd that a county court should

keep a standing army. But the Cumberland people were six hundred miles from the capital of their state; they were in the midst of savage enemies and had to take care of themselves. They looked to their county court for everything pertaining to the public safety, as it was the only legal authority within reach of them. The men who composed this court were true patriots. While they took the responsibility of some very strange and arbitrary acts, they seem always to have tried to serve their people faithfully.

Under the rule of this all-powerful county court the Cumberland settlements grew and spread over the country, though some one was killed almost every day by the Indians. Robertson and all of the wise men tried to make peace with the savages, but could not do it. In another chapter I will explain to you why they could not.

WHAT HAVE WE LEARNED?

1. Indian plans for 1781.
2. Battle of the Bluffs.
3. Indian warfare after the battle.
4. Conditions under which settlers lived and worked.
5. "The Father of Middle Tennessee."
6. Davidson County.
7. The county seat, courthouse, and jail.
8. Representative in the legislature.
9. Remarkable proceedings of the county court. Reasons.
10. Who now exercise the powers then exercised by that county court?
11. Prosperity of the county.
12. Efforts to make peace with the Indians.

CHAPTER XIV

THE SPANIARDS

Now let us learn a chapter of Spanish American history so that we may better understand the condition of the Cumberland people. It looks a little strange that we should study Spanish affairs in order to understand about Tennessee, but we must do it, and the lesson must be well learned.

In 1762, while the "Intercolonial Wars" were going on, England took Cuba from Spain. The next year, you remember, England and France made their treaty of peace, and France surrendered all of her territory east of the Mississippi River (except New Orleans) to England; about the same time, also, France gave New Orleans and all her land west of the Mississippi to Spain. England thus owned all of the country east of the Mississippi, except New Orleans and Florida; but by the same treaty of 1763, she gave Cuba back to Spain in exchange for Florida, so as to have all of her American possessions together. Study carefully the map of North America in connection with this paragraph, — do not try to understand it without the map before you.

In 1783 the Revolutionary War closed, the thirteen English colonies in North America became independent states, and thus England lost all of her territory east of the Mississippi except Canada and Florida. England then gave Florida back to Spain in exchange for the Bahama Islands, and left Spain and the United States to quarrel

over the northern boundary line of Florida, which had never been definitely established.

As the United States was not at that time a strong nation, Spain at once put soldiers into the forts at Pensacola, Mobile, New Orleans, and Natchez; and the Spanish governor general, who lived at New Orleans, claimed what is now Alabama, Mississippi, much of Tennessee, and a small part of Kentucky as Spanish territory. In 1794 he built Fort Barancas where Memphis now is.

Nearly all of the Indians in this territory, except the Chickasaws, hated the Americans. The Spaniards told the Indians that the King of Spain was their friend, and that he would keep the Americans from taking their land from them. Then they sent out their agents and traders, who furnished the Indians with guns and ammunition and told them to kill out all of the white settlers west of the mountains in Tennessee.

To make still more trouble for all of the people of the United States, west of the mountains, the Spaniards would not allow them to use the Mississippi River. In those days there were no railroads nor good wagon roads across the mountains. The western settlers had no way to carry their produce to market except by the rivers, and all of these rivers finally ran into the Mississippi. The settlers could not buy tea nor coffee nor sugar nor anything else unless they could get to a market to sell their crops and thus get money to buy what they needed.

You are probably thinking that it seems very foolish and wicked for the Spaniards to have encouraged the Indians to kill white people, and to have kept the western settlers from buying and selling in Natchez and New Orleans, where many Spanish merchants were anxious to trade with them.

The Spanish officials thought they had good reasons for acting as they did. Count Aranda, the Prime Minister of Spain, had told the Spanish king that the United States, if left to themselves, would soon become a great power and drive the Spanish out of North America. A Creek Indian chief, Alexander McGillivray, had made a very similar prediction to the governor general at New Orleans.

The object of the Spanish authorities, therefore, was to keep the United States from becoming a great power. They determined to prevent the use of the Mississippi River for trade, and thus discourage western settlement; to get the Indians to destroy the settlements that were already in Tennessee and Kentucky; then to claim that the northern boundary of their Florida possessions was somewhere near the mouth of the Ohio River. If this plan could be carried out, they knew that the United States would be much weaker and Spain much stronger in America.

As one means of carrying out their purposes, the Spaniards made a treaty with McGillivray, and promised him the regular pay of a Spanish general if he would keep the Indians at war with the Cumberland settlers. The Spanish traders furnished plenty of guns and ammunition, and the business was exactly to the taste of McGillivray and the Indians.

Now you can understand why Robertson and the Cumberland settlers could not make peace with the Indians. The chiefs were paid to keep the war going on. McGillivray did not care how many white people nor how many Indians were killed, nor whether Spain or the western settlers were ruined by the war. He stayed in his Alabama home and pretended to be a friend to both parties while drawing his pay and keeping up the war.

McGillivray was only one fourth Indian. His father was a Scotchman of good family, his mother a half-blood Indian. Her father was a Spaniard who held office in the French army. From Pickett's *History of Alabama*, and other sources, we learn that McGillivray was tall, slender, very handsome, a fine scholar, a polished gentleman in manners, having the cool judgment and shrewdness of a Scotchman, the self-conceit and duplicity of a Spaniard, and the treachery and ferocity of an Indian. Perhaps he was altogether the most remarkable combination of scholar, savage, gentleman, ruffian, diplomat, knave, and scoundrel that ever lived in America.

This man, who seems to have had no more conscience than a wildcat, ruled the Creeks and Seminoles, and had great influence among other tribes. He made fair promises to James Robertson and to the Spanish governor, accepted presents from both, though he cared nothing for either of them, and never had the slightest regard for his own promises. He kept the Indians making war on the settlers only because he was paid to do so, and kept making fair promises to the Cumberland people because he hoped thereby to get more pay.

Robertson finally learned McGillivray's character, and saw that it was useless to have any dealings with him. He then turned his attention to the Spanish governor at New Orleans in order to secure peace for the Cumberland settlements.

WHAT HAVE WE LEARNED?

1. Conquest and transfers of American territory in 1762 and 1763.
2. Other transfers in 1783.
3. Spanish claims east of the Mississippi in 1783.
4. Spanish dealings with the Indians.

5. Spanish markets of Natchez and New Orleans necessary to western settlers.
6. Predictions of Count Aranda and of Alexander McGillivray.
7. Spanish plans and purposes in preventing the use of the Mississippi.
8. The treaty with McGillivray.
9. Why Robertson could not make peace with the Indians.
10. Family history of Alexander McGillivray.
11. Personal appearance and general character.
12. Dealings with Robertson and the Spaniards.
13. Lesson learned by Robertson.
14. Next efforts for peace on the Cumberland.

CHAPTER XV

THE TERRITORY

In all of their struggles with Indians, and hardships of every kind, the Cumberland people never received any real help from North Carolina. The legislature passed acts that amounted to nothing more than giving them leave to take care of themselves. This they knew they could do, and had done without any acts of the North Carolina Legislature, and therefore they did not feel very grateful to North Carolina, or very much in love with her ways.

James Robertson wanted for his people two things, which he saw he would never get through the aid of North Carolina. One was a real treaty of peace with the Indians, and the other was the free navigation of the Mississippi River.

The Spaniards wanted the Tennessee and Kentucky settlements entirely destroyed, or they wanted them to form new governments, and become part of the Spanish empire in America.

Don Estevan Miro was the Spanish governor at New Orleans. Robertson wrote him a very nice letter, and he sent Robertson a very pretty reply. A number of letters passed between them, in which they did a great deal of bowing and smiling and handshaking and passing of compliments, — all on paper, of course, — and I am afraid none of it was sincere. This sort of dickering in fine

phrases between politicians is called diplomacy. Each tries to get as much and give as little as he possibly can, and be so polite and smiling and agreeable about it that it shall appear to be just the other way.

Robertson had the North Carolina Legislature name Middle Tennessee "Miro District," and Governor Miro declared that he felt himself highly honored, and promised to do great things for the Cumberland settlers; but he did very little, as far as the settlers could see. The Indians kept killing them, and they were allowed only a very restricted use of the Mississippi River.

Some things that Robertson wrote to Miro have made some people believe that he wished the western settlements to join the Spanish colonies. No one who has carefully studied the life and character of Robertson ought to believe this. He was too good a man, too stanch a patriot, too great a lover of liberty, to wish himself and family and friends to be subjects of the King of Spain.

While Robertson was using all of his art and skill with the Spanish governor, while Bledsoe and Raines and Castleman and others were fighting the Indians, while men, women, and children were daily being killed within sight of their own doors, North Carolina again ceded Tennessee to the United States government. This cession was made in February, 1790, and was accepted by Congress in April; and in May a bill was passed for the government of "The Territory of the United States South of the Ohio River."

William Blount was appointed governor of the newly formed territory, and David Campbell judge of the superior court. John Sevier was made Brigadier General of Washington District, or East Tennessee, and James Robertson of Miro District, or Middle Tennessee.

Rogersville was first made the capital of the territory, but in a little while the seat of government was moved to Knoxville.

The legislature of the territory was composed of a legislative council, elected by Congress, and a territorial assembly elected by the people of the territory. The Legislative Council was composed of the following five members: —

William Blount

Griffith Rutherford, *President.*
John Sevier.
James Winchester.
Stockley Donelson.
Parmenas Taylor.

This council made George Roulstone their clerk, and Christopher Shoat their doorkeeper.

The Territorial Assembly was as follows: —

From Washington County, Leroy Taylor and John Tipton.
From Sullivan County, George Rutlage.
From Greene County, Joseph Hardin.
From Davidson County, James White.
From Sumner County, David Wilson.
From Hawkins County, William Cocke and Joseph McMinn.
From Tennessee County, James Ford.
From Jefferson County, George Doherty and Samuel Wear.
From Knox County, Alexander Kelly and John Baird.

David Wilson was elected speaker; Hopkins Lacy was made clerk. The Assembly elected James White as delegate of the territory to the United States Congress.

This legislature did some good service, — educational, military, and political. The first session began on the fourth Monday in February, 1794. Before this date the laws of the territory had been selected by the governor and judges of the courts, from the laws of any of the states.

In the list of representatives you see the name of James Ford from *Tennessee County*. There is now no such county. It was west of Davidson and Sumner counties. When the state took the name Tennessee, the county was abolished and its territory was divided into the two counties of Robertson and Montgomery.

During Governor Blount's administration two new counties, Sevier and Blount, were formed; the population was greatly increased, and the Indian wars were brought to an end. The ending of the wars, however, was not due to Governor Blount, the Assembly, nor the United States Congress, but chiefly to the bold acts of James Robertson and the people of the Cumberland settlements.

When Tennessee became a territory of the United States, the President was trying to make a treaty with Spain for the free navigation of the Mississippi River. This was just what Robertson and his Middle Tennessee people wanted. Governor Blount was ordered to allow no attack on the Indians, lest the Spaniards might be offended and refuse to make the treaty.

The people waited and waited, but no treaty came. Plenty of Indians came, however, and they skulked about the settlements, burning houses, stealing horses, and killing people until the settlers got out of patience waiting for the treaty with Spain. They begged to be allowed to attack the Indians, but Governor Blount said, "No, you must not; that might upset all the negotiations with Spain."

The settlers waited awhile longer and learned that Spanish traders were buying American scalps from the Indians, in order to get them to kill more white people. Then their anger knew no bounds. They threatened to kill both Indians and Spaniards in spite of the governor, the President, or any one else. Robertson said, "Be patient." And they obeyed *him*.

Robertson's brother was killed, then his son was killed; men, women, and little children were murdered almost every day. Buchanan's Station was attacked by five or six hundred Indians, but was successfully defended by fifteen heroic men, with the aid of the brave women, who molded bullets and loaded the guns through all that stubborn fight. Finally the patience of Robertson and of every one else came to an end, and they determined to disobey their rulers and give the Creeks and Chickamaugas a taste of Sevier's methods with the Cherokees.

In September, 1794, General Robertson ordered Major Ore to destroy the five lower towns of the Chickamauga–Cherokees. The most important of these were Nickojack and Running Water. They were all on or near Tennessee River, below Lookout Mountain, and so secure did the Indians consider them that they said not even "Nollichucky Jack" could reach them.

Several years before this time the Indians had killed a man named Brown and all of his family except one little boy. This boy grew up among the Indians of the lower towns and knew all about the places. The Indians had been forced to exchange him for some prisoners Sevier had taken, and Robertson persuaded him to guide Major Ore and his five hundred men to the lower towns.

With Brown as a guide, the soldiers came silently and suddenly upon the Indians and so completely surrounded

them that very few escaped. The destruction was as thorough as if Sevier had done the work. Every Indian that was seen, except a few women and children, was killed, every wigwam was burned, everything was taken away or destroyed. Some Spanish traders were killed, and Spanish goods, guns, ammunition, a military commission for an Indian chief, and property and scalps of Cumberland people were found in the Indian towns. This is called the Nickojack Expedition or Ore's Expedition.

When the report of this expedition reached the ears of the officials, there was a great stir. The Secretary of War wrote a severe letter to Governor Blount, and Governor Blount wrote a stinging reproof to General Robertson, and General Robertson wrote a sharp reply in which he said, in effect, that he and the Cumberland people did not intend to sit still and be scalped by the Indians while the officials were passing compliments with the Spaniards; and if they did not like his way of doing they might get some one else to serve as brigadier general. But he was too valuable a man to dismiss from office, and here the matter ended. The Indian wars in Middle Tennessee also ended, except a few raids of little importance, though very annoying.

In 1795 there were found to be more than sixty thousand people in the territory. This was a population large enough to make a state. A convention was therefore called, which met at Knoxville in January, 1796, and framed the first constitution of the State of Tennessee. Andrew Jackson proposed the name of the state, though it had been called the Tennessee country long before this time. In June, 1796, President Washington signed the act of Congress that made Tennessee the sixteenth state of the American Union.

WHAT HAVE WE LEARNED?

1. Aid of North Carolina to the Cumberland people.
2. Robertson's two important wants.
3. What the Spaniards wanted.
4. Correspondence between Robertson and Miro.
5. Diplomacy.
6. Miro District.
7. Charges against Robertson.
8. Second cession of Tennessee to the United States.
9. Organization of the territory.
10. The territorial legislature.
11. Tennessee County.
12. Important events of Governor Blount's administration.
13. The treaty making with Spain.
14. Effects of waiting for the treaty.
15. Threats of the settlers.
16. Buchanan's Station.
17. The end of the waiting.
18. The five "lower towns."
19. The Nickojack Expedition.
20. Effect among the officials.
21. Effect on Indian wars in Middle Tennessee.
22. How the territory became the State of Tennessee.

CHAPTER XVI

DOMESTIC AND SOCIAL LIFE

Domestic life means the way families live in their own homes. The domestic life described in Chapter VI. may be taken as a fair picture of that in all early settlements in Tennessee.

Social life means how people of different families that live in the same community act in their mingling and intercourse with each other. Much of social life belongs to the churches and the schools, and much of this chapter will be devoted to them.

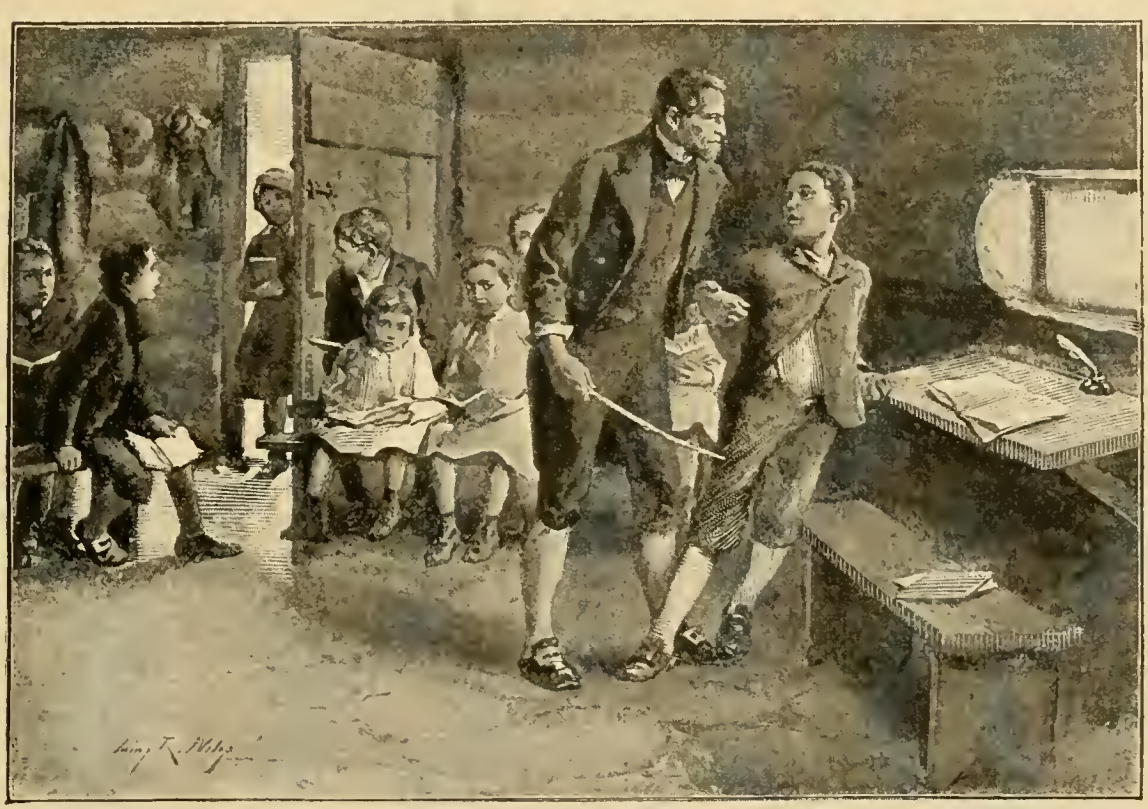
Among the pioneers the ties of personal friendship were made very strong by common dangers and common hardships. Whenever necessary, they would share with one another their money, clothes, provisions, ammunition, tools, labor, or anything else that they might have. A settler's cabin was open, without money and without price, for the relief or assistance of any worthy man. If a man had a house to build or logs to roll in his newly cleared ground, or any other work that was too heavy for one man, he invited his neighbors to help him. They always came cheerfully and never thought of being paid for their work. Indeed, they would have considered the offer of pay as an insult. The one who had been helped was expected to help others. To fail to invite a worthy neighbor to such workings, or to refuse to go when invited, was considered an evidence of very bad manners, not far removed from downright meanness.

If a man was sick or unable from accident to care for his crop, his neighbors assembled and did the work for him in a single day, and went home thinking they had done only a neighborly act. Selfishness, dishonesty in word or act, and cowardice were vices not to be endured in a pioneer community. Persons guilty of these were promptly driven out of the country.

There were few disputes or lawsuits, therefore little need for lawyers except as counselors on legal forms of doing business. The people were hardy and strong, and sickness was very rare. Hence there were few if any doctors. Young people usually had their social pleasures, dancing, games, etc., at night after the labors of the log-rollings, house raisings, and quiltings were over. The boys and girls did not grow up in total ignorance, but it was a hard task for them to get the little education they received. Books were few and costly and not at all suitable for children. Teachers were scarce and not very expert in their business. About two months of midsummer and about the same length of time in midwinter furnished the only school days of the most fortunate. At all other times of the year it was necessary for all that were old enough, to work at clearing ground, cultivating a crop, or making clothing.

Until the Indian wars were ended there could be no schools outside the forts. Teachers and pupils would have been butchered and the houses burned in short order. After the wars were over, log cabins were built to be used as both schoolhouses and churches. In the forts, or outside of them, those schools of early days were very different from the schools that you attend. Many of the schoolhouses had no floor but the ground. There were no desks, blackboards, globes, charts, etc. The seats were long

benches, without backs, made of hewed logs. The "writing bench" was a hewed-log shelf, the proper height for writing, extending along the wall usually the entire length of the house. The windows were openings, the whole length of the house, made by sawing out a log on each



Interior of a Schoolhouse

side. There was no glass used, but wooden shutters were sometimes provided.

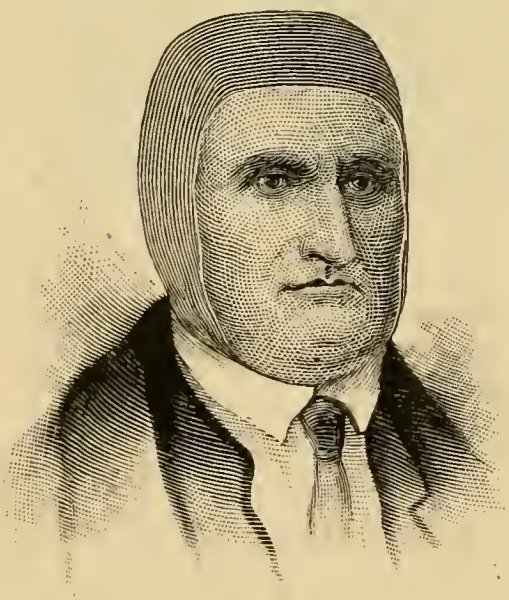
There were three divisions of the pupils, — the big boys, the little boys, and the girls. The big boys brought their axes to school as regularly as their books; they felled trees and cut them into firewood for the use of the school. The little boys carried in the wood and made fires; the girls kept the house clean.

There were no classes or grades as we have them now; each pupil usually stood close beside the master and recited alone, except at the spelling hour, when all stood in line

and spelled orally. All studied their lessons aloud, and the amazing din this created did not seem to disturb any one. The principal books used were Dilworth's *Speller*, Dayball's *Arithmetic*, *Pilgrim's Progress*, and the Bible. Each pupil made his own copybook of foolscap paper and brought his own bottle of ink made from oak balls or elder berries. The master made all of the pens out of goose quills, and wrote all of the copies.

School opened about seven o'clock in the morning and closed about five o'clock in the afternoon. The noon recess was from one to two hours. The school was in session on Saturday and Sunday just as it was on any other day of the week. Time was precious, and there were no Sunday schools, and rarely any church services, to attend.

With all of the disadvantages of their surroundings, many of the boys and girls of pioneer days managed to get a fairly good education. Do you think you would have done so?



Samuel Doak

In 1778 or 1779 Samuel Doak, who was educated at Princeton College, New Jersey, came to Washington County, and soon after his arrival opened a good school in a log cabin on his own farm. This is said to have been the first real institution of learning in the Mississippi Valley. In 1783 Doak's school was incorporated by the North Carolina Legislature as Martin Academy. In 1795 the territorial legislature chartered Martin Academy as Washington College, located at Salem, and Doak was made its president.

In 1794 Blount College was founded near Knoxville. Samuel Carrick was made president of this school, which is now the University of Tennessee. This was probably the first nonsectarian college chartered in the United States. Greene College was founded at Greeneville by its first president, Hezekiah Balch, in 1794. In 1785 the Legislature of North Carolina incorporated Davidson Academy, near Nashville. Now take your map and locate Salem, Greeneville, Knoxville, and Nashville, and you will have in mind the only places in Tennessee where a liberal or high school education might be obtained when the state was admitted to the Union in 1796.

About the year 1772 Charles Cummins, a Presbyterian minister of Abingdon, Virginia, was preaching occasionally to the Watauga settlers. He was probably the first ordained preacher that ever held religious services among the white settlers of the state. Long before this date, however, priests of the Roman Catholic Church had held religious services in what is now Tennessee, among the French and Spanish explorers and soldiers.

Tidence Lane, a Baptist minister, was the first known regular pastor of a church in Tennessee. His church was established at Buffalo Ridge, Washington County, in 1779. Samuel Doak, who was a Presbyterian, was preaching at various places among the Watauga settlers at about the same date. As preacher, teacher, and politician, his influence in the state was immense, and its effects are still felt.

The first Methodist preacher in Tennessee, that we know of, was Jeremiah Lambert, who came to the Holston Circuit in 1783. Bishop Asbury held the first Methodist Conference in Tennessee in 1788. It was held at a private house, lasted three days, and the bishop preached every day. The three denominations mentioned were the princi-

pal ones, perhaps the only organized ones, in Tennessee when it became a state. The Presbyterians were most numerous.

The Bible, the hymn book, and the catechism came with the settler into Tennessee, and were the principal books, very often the only ones, in the early log-cabin homes. Whether the pioneers were Presbyterians, Baptists, or Methodists, those who professed to be religious were thoroughly so according to the standards of their day. They were men of strong convictions, very independent in thought and very decided in action. They had the greatest contempt for counterfeits or shams of any kind.

Churches were few and very rude in structure. The log schoolhouses, courthouses, and private dwellings were used as places of worship. When it was known that there would be preaching at a certain house, nearly all the settlers within fifteen miles of the place would assemble at the appointed hour. The congregation would look very strange to-day. The women and girls were clad in homespun dresses, with quilted or slat bonnets on their heads and moccasins on their feet. The men and boys wore hunting shirts and leather leggings, coon-skin caps, and moccasins; and all carried their rifles as if going to war. They never knew what moment the Indians might attack them.

The congregation was quiet and orderly. There were usually two sermons; one in the forenoon and one in the afternoon, but none at night, unless the services were held in a fort. The minister read out the hymns, two lines at a time, and the whole congregation sang them from memory. Sermons and prayers were usually long, and more earnest and forcible than polished or elegant.

Try to imagine for yourself the appearance of everything at one of these meetings: the grand, wild forest;

the rough log walls of the house; the slab benches with no backs; the dirt floors; the severely simple and quaint service; the strange dress of the people and the preacher; the rifles standing around within easy reach; the sun-burned, wind-browned faces; the stern, resolute expression of countenance, that comes from daily contact with danger and hardship. When you see all this, remember that those broad-shouldered, strong-limbed, stern-faced men and women were true in purpose, loving in heart, and heroic in soul. They feared God, but nothing else. They went to church for His service alone, and their worship was "in spirit and in truth."

WHAT HAVE WE LEARNED?

1. Domestic life.
2. Social life.
3. Domestic life described in Chapter VI.
4. Friendship among the pioneers.
5. Heavy work.
6. Bad manners.
7. Sick or disabled neighbors.
8. Intolerable vices.
9. Lawyers and doctors.
10. Difficulties of getting an education.
11. A pioneer schoolhouse, pupils, classes, books.
12. Samuel Doak's school.
13. Blount College.
14. Greene College.
15. Davidson Academy.
16. The four places to be located on the map.
17. First religious services in Tennessee.
18. First regular pastor in Tennessee.
19. Influence of Samuel Doak.
20. First of the Methodists.
21. Religious books and religion among the pioneers.
22. A pioneer meeting.
23. The imaginary picture and conclusion.

Period III. 1796–1861

THE STATE BEFORE THE CIVIL WAR

CHAPTER XVII

STARTING THE NEW GOVERNMENT

Grown people usually think that boys and girls know very little about politics, and that they have very little taste for learning the political history of their country. This idea may be correct, but I do not believe it, and in this chapter will be given, in connection with other things, some simple facts of political history.

The government of the United States, and of each state of our country, is intended to be a government of *public opinion.* That is, the laws must be made and executed as the majority of the people wish these things to be done. An election is only a regularly established way of finding out what public opinion is.

The officers elected are not the people's *masters;* they are public *servants* chosen to carry out the will of the people. All of our officers should be treated with the greatest respect, and all of our laws should be carefully observed. It is a shame for any one in this free government to be disrespectful or disobedient to officers or to violate law. We are a free people; therefore disrespect to officials or disregard of law is an insult to the whole people. Try to understand this and remember it.

In all free governments there will grow up two or more political parties. People of equal patriotism have different opinions about the best way to conduct public affairs. Those who hold the same or nearly the same opinions will unite to form one political party, while those who differ from them will form another party.

Alexander Hamilton

When the Constitution of the United States was formed in 1787, there immediately began to be two political parties: the Federalists, who thought that very great powers should be given to the general or federal government; and the Anti-Federalists, or Democratic Republicans, who thought that more powers should be held by the states and fewer given to the federal government.

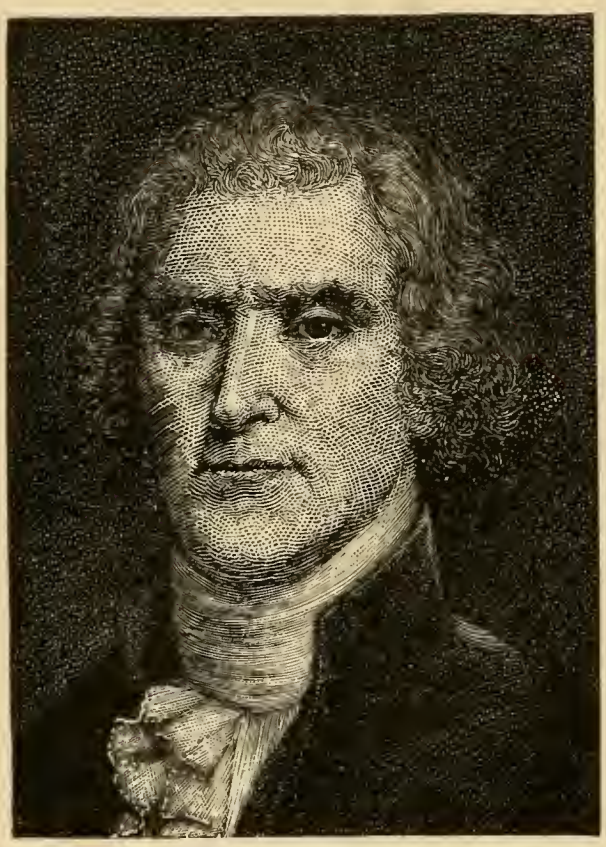
Alexander Hamilton, Secretary of the Treasury in President Washington's Cabinet, was the leader of the Federalists; Thomas Jefferson, Secretary of State in President Washington's Cabinet, was the leader of the Democratic Republicans, or Democrats, as they were afterwards called.

When Tennessee became a state, nearly all of her people believed the political doctrines of Thomas Jefferson to be the right ones. As nearly all were of the same political opinion, there was no party contest for any office and very little trouble about electing officers.

Five members from each of the eleven counties were elected to form the constitutional convention. This convention met at Knoxville, January 11, 1796, and elected William Blount chairman; William Maclin secretary; John Sevier, Jr., clerk.

A committee, of two members from each county, was

appointed to draw up a bill of rights and a constitution for the state. So well did they do the work, according to the ideas of that day, that Jefferson said it was the best and most republican constitution that had been made.



Thomas Jefferson

The fathers of our state government had the two virtues of economy and industry. They charged the state $1.50 a day for their services in the convention, and $3\frac{1}{3}$ cents a mile for traveling expenses; they paid the clerks $2.50 a day, and the doorkeeper $2.00 a day; the entire incidental expenses were only $12.62; and the convention returned to the treasury the unexpended remainder of the money that had been set apart for their use. The whole session lasted only twenty-seven days.

As soon as the convention adjourned, Governor Blount issued an order for the election of a governor and members of the legislature for the new state. The elections were held according to this order, and the *first Legislature of the State of Tennessee* met at Knoxville, *the first capital of the State of Tennessee*, March 28, 1796.

The Senate organized by electing James Winchester speaker, Francis A. Ramsey clerk, Nathaniel A. Buckingham assistant clerk, Thomas Bounds doorkeeper. The House of Representatives organized by making James

Stuart speaker, Thomas H. Williams clerk, John Sevier, Jr., assistant clerk, John Rhea doorkeeper.

When organized, the legislature examined the "election returns" and decided that John Sevier was elected governor. He was sworn into office, in presence of both houses of the legislature, March 30, 1796, by Judge Joseph Anderson.

The legislature then elected the following officers: William Maclin, Secretary of State; Landon Carter, Treasurer of Washington and Hamilton Districts; William Black, Treasurer of Miro District; John McNairy, Willie Blount, and Archibald Roane, Judges of the Superior Court; Hopkins Lacy, John Lowry, and Howell Tatum, Attorneys for the State; William Blount and William Cocke, Senators in Congress. As the state was not admitted into the Union until June, the senators were reëlected in August. Andrew Jackson was elected by the people to be representative in Congress.

Perhaps you wish to know why the people were so anxious to have a *state government*. The territorial government had been a good one, Governor Blount was an able and popular man, and the territory was thriving and prosperous under his administration. Why have all these conventions and elections? Why did the people put themselves to the trouble and expense of making a change?

While a territory, Tennessee could take no part in the government of the United States, as the people had no senators or representatives in Congress. The people were bound to obey the laws passed by Congress and to live under the government of the President of the United States; but they had no voice in making the laws and no vote in electing the President. This was one reason for making the change.

The governor and the judges of the territory were appointed by the President, and the Legislative Council was elected by Congress. This left the people very little share in their local or home government, and did not suit their free and independent spirit nor serve their best interests. They wished to elect their own governor and their own legislature and manage their own home affairs. This was another reason for making the change. Thus we see that the wish to take part in national affairs and to enjoy the benefits of local self-government were the chief causes that led the people to form a state government.

The constitution of the state provided that two years should be the term of office for the governor, and that no man should be allowed to hold the office for more than three terms in succession. Governor Sevier was elected three times without opposition, and was followed, in 1801, by Archibald Roane. In 1803 Sevier was again a candidate, but Roane was a candidate against him.

Sevier's enemies tried to defeat him by telling the people that Sevier had been speculating in land warrants while he was governor, and tried to make it appear that he had forged some of them. John Tipton and Andrew Jackson took part in circulating these reports. In 1798 Sevier had appointed Jackson a judge of the superior or supreme court, the legislature had afterward elected him, and he was still holding that office. Sevier denounced him very bitterly as being ungrateful and showing himself unfit to be a judge. So fierce did the quarrel grow that Jackson challenged Sevier to fight a duel, but their friends interfered and put an end to the quarrel.

Tipton got the legislature to investigate the charges against Sevier's honesty, but nothing could be proved that injured him in the estimation of the people, as they again

elected him governor for three successive terms and then sent him to Congress.

The treaty of 1795, between the United States and Spain, gave the western people a very restricted use of the Mississippi River. In 1797 it was charged against William Blount in the United States Senate that he had entered into a conspiracy to take Louisiana and Florida away from Spain and transfer them to England, as he thought England would be a better neighbor than Spain.

On this charge William Blount was expelled from the United States Senate July 8, 1797. A United States officer was sent to Knoxville to arrest him and take him to Philadelphia to be tried for high crimes. But the whole affair was as bad a failure as the attempt to try Sevier for treason. Blount would not go; the officer alone could not take him by force, and when he summoned men to help him they very politely refused to do so, and told him that Blount had done nothing wrong and could not be carried out of Tennessee for trial.

After investigation the United States Senate decided that they had no case against Blount. He was immediately elected to the state senate and made speaker of that body. He died at Knoxville, March 21, 1800, and is buried in the churchyard of the First Presbyterian Church. Next to Sevier and Robertson he was the most popular and beloved man in the state. The people never believed that he intended any wrong in the Louisiana affair. In 1800 Spain secretly gave the whole of Louisiana back to France; and in 1803 President Jefferson bought it from France for $15,000,000, and thus put an end to all trouble about the Mississippi River. This purchase also put an end to the very small Federalist party that had existed in Tennessee — all went over to Jefferson.

From the organization of the state, in 1796, to the close of Sevier's last term there had been but two governors. Sevier had served twelve years, Roane had served two. The growth and prosperity of the state had been wonderful. Treaties had been made with the Indians, farms had been cleared, roads opened, bridges made, churches and schoolhouses built, new counties formed, towns laid out and occupied, stores, shops, and post offices opened; better buildings than pioneer cabins were beginning to appear; and commerce was beginning to feel the effects of free navigation. Lawyers, preachers, and other men of learning were coming into the country. The population had grown from a little more than sixty thousand to two hundred and sixty thousand people. Silk dresses, Leghorn bonnets, ruffled shirt fronts, and beaver hats might have been seen on the streets of Knoxville. When Governor Sevier passed out of office, in 1809, Tennessee was a thriving young state just entering upon the brilliant career that was opening before her, — prosperity in all her wide domain, peace within all her borders, and plenty in all her homes.

WHAT HAVE WE LEARNED?

1. The kind of government under which we live.
2. An election.
3. Duty of officers.
4. Duty of the people in a free government.
5. Cause of political parties.
6. Two parties that began in 1787.
7. Alexander Hamilton and Thomas Jefferson.
8. Political opinions and elections in Tennessee in 1796.
9. The constitutional convention. Place, date, number of members.
10. The committee and their work.
11. Evidences of economy and industry.
12. First legislature and first capital of the state.

13. First senators and first representative in Congress.
14. Why the people wished to have a state government.
15. First and second governors. How long did each serve?
16. Charges against Sevier in 1803.
17. Quarrel between Sevier and Jackson.
18. The Tipton investigation and its result.
19. The expulsion of William Blount from the United States Senate.
20. The attempt to arrest and try him.
21. Close of Blount's career.
22. End of the Mississippi River troubles.
23. General condition of the state in 1809.

CHAPTER XVIII

ADMINISTRATIONS OF WILLIE BLOUNT

In 1809 Willie Blount, a brother of Senator William Blount, was elected governor; he served three successive terms, closing his last administration in 1815. He was not a great or brilliant man like Sevier, nor was he the equal of his brother William. He was an honest, patriotic, sensible man; he was a firm friend of Andrew Jackson, was popular with all parties, and made a good governor.

Willie Blount

The first three years of Blount's time in office were similar to the last years of Sevier's administrations. The people were busy with all the occupations of a new and growing state. They had open markets, free trade, and rich land. They raised fine stock and big crops; bought and sold goods and land, and worked and played very much as you see people doing now.

One thing occurred during this administration that slightly changed the physical geography of the western part of the state.

In 1811 earthquakes were felt in the country near the Mississippi River, from the mouth of the Ohio to

Vicksburg. In West Tennessee the shocks were very severe. Great cracks were opened in the ground, some of them ten miles long, as wide as an ordinary street or public road, and deep enough to bury a two-story house in. Every season has partly filled them with leaves, brush, etc., but traces of many of them may still be seen in the counties of Lake, Obion, Dyer, and Lauderdale.

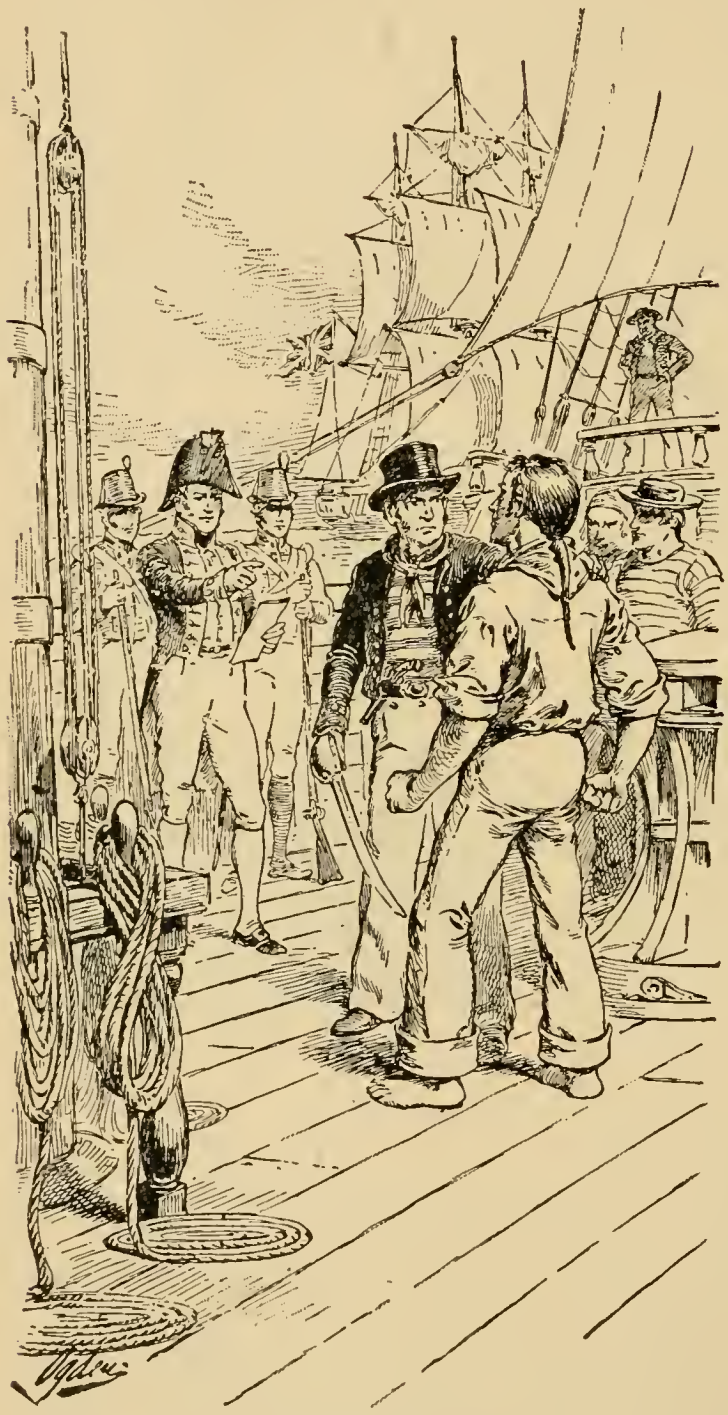
The mouth of the Reelfoot River was lifted up, and for miles along its course the land sank down far below the country around it. The sunken places were afterward filled with water, and thus was formed the famous Reelfoot Lake, from which Lake County takes its name. No white people had homes in West Tennessee at that time, but a few white hunters and traders were in the country. Slight earthquakes have occasionally been felt in the same region ever since then.

About the time that Tennessee became a state, Napoleon Bonaparte was rising into power in France. In 1799 he made himself ruler of his country, and until 1815 he kept all Europe in a tumult of war. He conquered all the nations of central and western Europe, except England, but England held the mastery of the seas, and was determined to hold it at any cost. To do this it was necessary to have a great many seamen.

The war was so long, and so many sailors were killed in the great sea fights, that the British government was obliged to impress men, or force them to go into the navy. Next, it claimed the right to search the ships of other countries to see if they had on board any British sailors that might be forced into the British Navy. The United States declared that England should not search American ships. England declared that she would do it, and she did search many of them. This, with some other disputes,

finally brought on what is called the War of 1812, or the Second War with Great Britain.

As soon as war was declared, in June, 1812, the Tennesseeans volunteered as soldiers in great numbers. General Andrew Jackson was placed in command of them, and they started to New Orleans to defend that city and the southern country against the British. They stopped at Natchez, however, as it was learned that the British were not on their way to New Orleans.



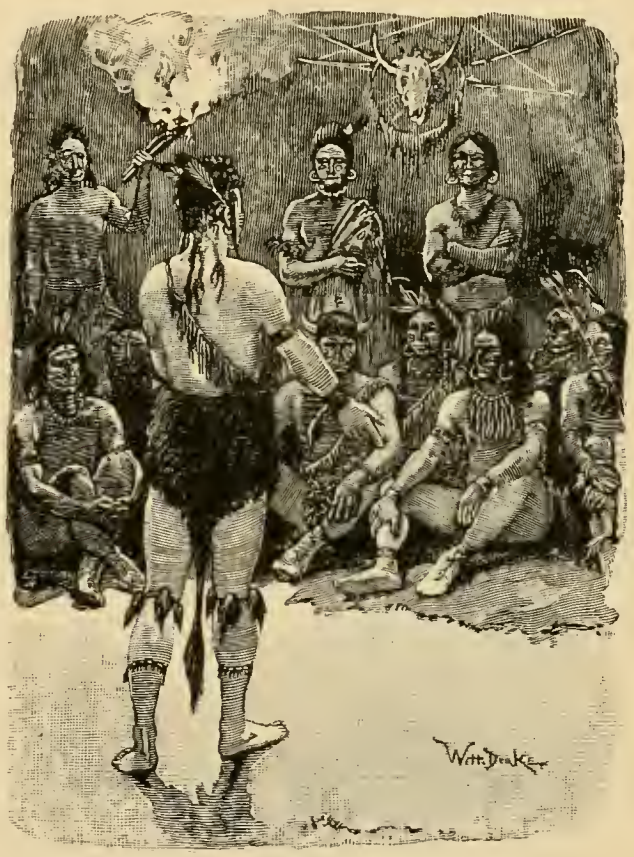
Impressing Seamen

In January, 1813, General Jackson received orders from the Secretary of War to discharge his soldiers and turn over all his wagons, provisions, etc., to General Wilkinson of the regular army. Jackson replied that some of his soldiers were sick, and the well ones not able to pay their own expenses

back home, and that he would not discharge them at Natchez.

This was a very bold stand for a volunteer army officer to take, but it showed Jackson's courage and his love for his soldiers. He put his sick men into the wagons and marched his troops back to Tennessee, and then discharged them. When Congress met, the members said Jackson had done right, and they voted the money necessary to pay the expenses of bringing the soldiers home.

Tecumseh was a famous chief of the Shawnee Indians, who lived in the Northwest Territory. When the United States and Great Britain went to war, in 1812, Tecumseh tried to unite all the Indians against the Americans. He and his brother, the Prophet, visited the Chickasaws, Choctaws, and Creeks, and got William Weathersford, a half-breed Creek chief, and most of the Creek Indians to unite with them. The Chickasaws and Choctaws would have nothing to do with the plot.



Tecumseh addressing the Indians

In August, 1813, the Creeks captured Fort Mimms, near Mobile, and butchered men, women, and children, though they had surrendered under promise of protection. Some of these people were Tennesseeans, and at once the Creek War became a Tennessee war.

The men of Tennessee volunteered to fight both Indians and British, and called for General Andrew Jackson to lead them.

In the early years of our state there existed a very foolish custom of fighting duels to settle difficulties. Jesse Benton and William Carroll had fought a duel in which Jackson had acted as Carroll's second. When Jesse Benton's brother, Thomas H. Benton, heard of this, he said a great many ugly things about Jackson. Jackson threatened to horsewhip him as soon as they met. But that was a rash promise, as Benton was very much the same kind of man as Jackson. They met in Nashville and had a desperate fight in which Jackson was badly wounded. He was in bed from the effects of this wound when he was called to take command in the Creek War.

Jackson's heroic soul did not hesitate a moment. The soldiers were enlisted, General John Coffee was sent with the cavalry to Huntsville, and the remainder of the army assembled at Fayetteville, where Jackson took command. Hearing that Weathersford and his hostile Creeks were moving toward Tennessee to attack some friendly Indians, Jackson pushed forward into Alabama to protect the friendly Indians.

The war raged over North Alabama, with Jackson successful in all the battles though he was many times almost ruined by lack of supplies, failure of General Cocke to aid him at the right time, and mutinies among his hungry soldiers. It is said that a soldier one day complained to the general that he had not had enough to eat in several days. "Neither have I," said the general, "but I will divide what I have with my soldiers," and pulling a handful of acorns out of his pocket he offered them to the soldier. The man told his comrades, and they

decided that if the general could live on acorns they could too.

Governor Blount came to Jackson's rescue when lazy or rascally contractors were allowing him and his army to suffer. The governor, upon his own responsibility, furnished nearly $400,000 to buy provisions and ammunition for the army. The money was afterward repaid from the public treasury.

After the Creeks had been defeated many times they gathered in nearly full strength at a bend of the Tallapoosa River called Tohopeka, or the Horseshoe. They built a strong breastwork of logs across the narrow part of the bend, and considered their camp safe against all attack.

The country between the Coosa and Tallapoosa rivers was called the "Hickory Ground." The Indians' prophets had taught the Indians that this country could not be conquered by the white man. Jackson cut a road through the Hickory Ground to Tohopeka, and captured the place after a desperate battle, in which seven hundred Creek warriors were killed and three hundred women and children were captured. This was in March, 1814, and afterward Jackson was called "Old Hickory."

Weathersford

This battle ended the Creek War and destroyed the power of the Creek nation. Weathersford surrendered and lived peaceably in Alabama the remainder of his life. Most of the Creeks were moved to the Indian Territory in 1836, and the remainder of them joined the Seminoles in Florida. We shall hear no more of the Creek Indians, as a tribe, in

this history. Like most other Indian tribes they were much abused and sadly wronged. British and Spanish emissaries were continually getting them into war with the Americans, who in self-defense were obliged to kill them or drive them from their lands.

In the spring of 1814 Jackson was made a major general in the United States Army and was given command of the southern country. In August Colonel Nicholls, of the British Army, made his headquarters at Pensacola and tried to excite the Indians and the people of Louisiana against the United States.

General Jackson wrote the Spanish Governor of Florida that he must not allow the British to come into his territory to make war on the United States. The governor paid no attention to this letter, and in November, 1814, Jackson marched his army into Florida and captured and destroyed Pensacola and took possession of Mobile. He then notified the Spanish authorities that he would treat them all as enemies if they allowed any more harboring of British in their territory.

From Pensacola Jackson moved to New Orleans, which the British threatened to attack. Here on January 8, 1815, he fought one of the most remarkable battles recorded in history. With an army of volunteers, inferior in numbers and arms, he totally defeated an army of Wellington's veteran soldiers, inflicting a loss of nearly three thousand men, while the Americans lost only twenty-seven.

The battle of New Orleans was unnecessary, as peace had been made between the United States and Great Britain, by their agents in Europe, December 24, 1814. Does it not seem strange that no one at New Orleans knew anything of this on January 8, 1815? If a treaty were made in Europe to-day, it would be known in New Orleans the

same day that the papers were signed. Can you explain this great difference?

The war with the Indians and the British, and especially the battle of New Orleans, made Andrew Jackson one of the great men of the United States. John Coffee, William Carroll, William Hall, and Sam Houston had also won fame in the wars, and Tennessee had become the "Volunteer State" of the American Union.

Battle of New Orleans

Governor Willie Blount's administration closed with the people glad and thankful for the return of peace, and proud of the fame of their state in war.

WHAT HAVE WE LEARNED?

1. Successor of Governor Sevier. Character.
2. First three years of Willie Blount's time in office.
3. Earthquakes of 1811. Reelfoot Lake.
4. Napoleon Bonaparte and Great Britain.
5. Impressing seamen.
6. "Right of Search."
7. War of 1812. Other name.
8. Tennessee volunteers and their first expedition.
9. "The mustering out."
10. Tecumseh's plans.
11. Fort Mimms massacre.
12. Effect in Tennessee.

13. Duel between Carroll and Jesse Benton.
14. Jackson and Thomas H. Benton.
15. Campaign against the Creeks.
16. Jackson's troubles in the war.
17. Governor Blount's aid.
18. Battle of the Horseshoe.
19. Result to the Creek Indians.
20. Jackson, Nicholls, and the Spanish governor.
21. Pensacola and Mobile.
22. Battle of New Orleans.
23. News in 1815 and at the present time.
24. Effect of the wars on Jackson and on Tennessee.
25. Other famous Tennessee soldiers.

CHAPTER XIX

ADMINISTRATIONS OF JOSEPH McMINN, 1815–1821

Joseph McMinn was elected Governor of Tennessee at the close of Willie Blount's third term in 1815. Governor McMinn was a native of Pennsylvania, and had been a soldier in the Revolutionary War. After the close of the war he came to Tennessee and settled in Hawkins County. He was a plain farmer, and had been a member of the Tennessee Legislature, and speaker of the Senate in 1807.

McMinn seems to have been a good, honest man; more of a politician than a statesman, and not very much of either. His honesty, industry, and tact gave him the confidence of the people, but he had not the ability to deal with some of the troublesome questions that came up during his administrations.

A bank, properly managed, always makes money for its owners and is a great convenience to the people in transacting their business. But if the management is bad, or the officers dishonest, a bank may do a great deal of mischief. From 1807 to 1865 the State of Tennessee made many experiments in the banking business. The legislatures that passed the various banking laws seem to have thought, either that the state could make money by these schemes and thus save the people from paying taxes to support their state government, or that the state banks could lend the people money on better terms than other banks would lend it, and thus make business more active in the state.

From bad management, or political contrariness, or the dishonesty of bank officers, or some great misfortune, like the Civil War, most of the banking plans turned out badly, and the state lost money and got into debt by these ventures.

Governor McMinn favored some of the worst of these banking laws. He did not do this because he was dishonest or intended to do wrong, but because he was not statesman enough to see the bad effects that would follow the bad laws. A majority of the members of the legislatures that passed these acts were equally honest and patriotic; they intended no wrong, they simply made mistakes.

A complete history of the connection of the state with banks would make this book a very large one, and the girls and boys of Tennessee would find that part of it very dry reading. In fact, I believe they would not read it at all, and what they would be able to learn from it would be of very little use to them if they did read it; therefore I shall not write it. When necessary, I shall refer to the banks and banking acts under the different administrations, as many governors besides McMinn had to deal with them. That is all that this book will have to say about banks.

While McMinn was governor, the Seminole Indians in Florida were joined by some of the Creeks who had not surrendered after the battle of the Horseshoe. White outlaws and negroes also joined them, and the whole band of ruffians and savages began stealing, robbing, and murdering along the borders of Alabama and Georgia. This was in 1818.

Florida still belonged to Spain. President Monroe tried to get the Spanish governor to stop the mischief, but noth-

ing was done. He then told General Jackson to stop it. Jackson gathered some Tennessee troops, got some more from Georgia and Alabama, and marched into Florida. He captured and killed all the outlaws he could find, and burned the Indian towns. He also took the Spanish towns of St. Marks and Pensacola, and drove the Spanish governor out of the country.

Among the prisoners were two British subjects, Arbuthnot and Ambrister. Jackson had Arbuthnot hung and Ambrister shot because they had been furnishing guns and ammunition to the Indians, buying stolen goods from them, and encouraging them to keep up their robberies and murders.

This trouble came near causing a war between Spain and the United States, but the next year President Monroe bought Florida from Spain, and all further trouble was avoided.

To avoid any possible trouble with the friendly Chickasaw Indians, General Jackson and General Shelby were directed, as soon as Jackson had ended the Seminole difficulties in 1818, to buy all of the Chickasaws' land east of the Mississippi and north of the thirty-fifth parallel of north latitude. This land consisted of West Tennessee and Western Kentucky.

The most important event within the six years that McMinn was governor was the early settlement of West Tennessee. This settlement was unlike that of East Tennessee and Middle Tennessee; for in West Tennessee the ax and the plow had far more to do with the advance of civilization than did the rifle and the tomahawk. There were no wars connected with it.

Remember that all of Tennessee lying between the Tennessee and Mississippi rivers was the hunting ground

of the Chickasaw Indians, and that these Indians had always been friendly with the English-speaking white people. The whole of West Tennessee was bought from these Indians in 1818, and opened for settlement in 1819.

Now spend a few minutes studying the map of West Tennessee. Note the course of the Tennessee River, and of the Big Sandy, which flows into it. Look at the Mississippi River and its tributaries, the Obion, the Forked Deer, the Big Hatchie, and the Wolf. Imagine the condition of the country as it was in 1818, with not a county laid out, not a town or a railroad, not even a settlement of white people nor a wagon road of any kind; nothing but forests of giant trees and dense canebrakes covering the whole land. No Indians lived in the country except at the Chickasaw Bluffs, on the Mississippi River. It was a vast hunting ground that the Indians had sold to the white people, and was just opened for settlement.

Now suppose some people at Nashville, some at Knoxville, and some at Pittsburg, Pennsylvania, in the year 1819, that wished to move into West Tennessee; how would they go there? The Knoxville people could float their flatboats down the Tennessee River until they came to what is now Hardin County, or down to the mouth of Big Sandy, and up that river into what is now Henry County, or might stop anywhere between these counties, or might go farther on. The Nashville people could float down the Cumberland River into the Ohio, and join the Pittsburg emigrants, and all go down the Ohio into the Mississippi. They might stop anywhere between what is now Tiptonville, in Lake County, and the bluff where Memphis now stands, or they might go up the Obion River, or the Forked Deer, or the Big Hatchie, or the Wolf.

What we have supposed on this subject is exactly what

occurred. The first settlements were made along the rivers, and the early settlers lived very much as the pioneers of East and Middle Tennessee had done, except that they built no forts and had no Indian wars. As the people could give all of their attention to the pursuits of peace, they quickly opened roads, made bridges and ferries,

Flatboat

and got into direct communication with Middle Tennessee and Kentucky.

The country was settled rapidly, and between 1819 and 1824 there were organized in West Tennessee the counties of Obion, Weakley, Henry, Dyer, Gibson, Carroll, Tipton, Haywood, Madison, Henderson, Shelby, Fayette, Hardeman, McNairy, and Hardin. These are the older counties of the western division of the state, all the others having been formed by cutting off parts of these. No other section of the great Southwest had ever grown so

rapidly in population and wealth. See if you can tell why this was so.

Which is the oldest settlement in West Tennessee is a disputed question. The temporary homes of hunters and traders have been called settlements, and actual settlements have been called camps, until the subject is very much confused. Perhaps Memphis is as old as any of them. It is certain that white people were permanently settled there in 1820, and perhaps a little earlier, and there could have been no legal settlement anywhere in West Tennessee before 1819.

The counties and towns of our state have usually been named in honor of some distinguished man; as Monroe County for President Monroe, Robertson Country for General James Robertson, McNairy County for Judge McNairy, Knoxville for General Knox, Nashville for Colonel Nash, Jackson for President Andrew Jackson. If you study over the names, you will find this to be the general rule, but Memphis is one of the exceptions.

There are two great rivers of the world that you will find very much alike in some respects, though very different in others. They are the Nile in Africa and the Mississippi in North America. Each rises in a region of lakes and flows through a valley famed for its fertile lands and abundant crops. Each empties into the sea by a "delta mouth"; that is, the mouth of each river is divided into several branches.

Long, long before the Christian era, before the days when Abraham went down into Egypt, there stood, on the banks of the Nile, a famous city called Memphis. It was the great commercial center of the valley of the Nile in the long, long ago. The people who settled on the Chickasaw Bluffs wished their new town to become the great

commercial city of the valley of the Mississippi, and they named it Memphis.

The spot upon which Memphis stands is historic ground, and it is most probably the part of Tennessee that was first known to white men. About it cluster memories of the visionary ambition of De Soto; the patience and devotion of Marquette; the heroic enterprise of La Salle; Louis XIV. and the Crozat grant; the disastrous battles of the French with the Chickasaws; the intrigues of Miro, Carondelet, and Gayoso; the forts Prudhomme, Assumption, Barancas, and Pickering; the daring schemes of Aaron Burr; the long struggle with Randolph for commercial supremacy; the grotesque titles of "Pinch" and "Sodom"; and the wise foresight and prudence of John Overton.

If the long line of Frenchmen, Spaniards, and Englishmen; of soldiers, priests, and adventurers; of Indians, hunters, and traders; of early settlers, land surveyors, and flatboat men, could rise from their graves and tell us all that happened on that bluff from 1541 to 1821, it would make a story of far more wild and romantic interest than any tale of the *Arabian Nights*.

The voices of these men are silent, and all of the story can never be told, but I will give you a list of books from which you can learn a great deal of it. When you have time or opportunity to do so read Ramsey's *Annals of Tennessee*, Phelan's *Larger History of Tennessee*, Perkins's *Annals of the West*, Monette's *History of the Mississippi Valley*, Roosevelt's *Winning of the West*, Keating's *History of Memphis*, and a good history of the United States.

Memphis was never the center of settlement for West Tennessee as Nashville had been for Middle Tennessee. There was no necessity for such a center. The whole

country was peaceable and might be settled anywhere. The greatest danger was from bears, panthers, wolves, and wildcats, and the greatest mischief they did was to kill the settlers' pigs, calves, and colts. To kill out these troublesome beasts of prey the Chickasaw Indians were encouraged to hunt over the country after many white settlements had been made.

The Donkey and the Hunters

General Tipton, for whom Tipton County was named, was raising good farm stock on the south side of Hatchie River. He had several fine donkeys and hired out one of these, named "Moses," to a Mr. Barnes on the north side of Hatchie. Moses got away from Barnes and started home. In Hatchie bottom he was killed by some Chickasaw hunters, who thought he was a new kind of wild beast. They sold his hide to a trader, and Barnes found it on a trading boat in Hatchie River. He called up the

Indians and explained to them that the animal belonged to General Tipton and was worth $500. The Indians brought up their horses, appointed three white men and two Indians to value them, and gave Barnes enough of them to pay for Moses.

From the early settlement to the Civil War the growth of West Tennessee was rapid and prosperous, with no very striking or tragic events in its history.

WHAT HAVE WE LEARNED?

1. Dates of Governor McMinn's administrations.
2. Character and public services of Joseph McMinn.
3. Advantages of a well-managed bank.
4. Ideas of Tennessee legislators about banks.
5. Mistakes of the governor and legislature.
6. History of Tennessee banks.
7. Outrages in Georgia and Alabama.
8. Government of Florida in 1818.
9. Jackson's method of stopping the trouble.
10. Execution of Arbuthnot and Ambrister.
11. Purchase from the Chickasaws.
12. Most important event while McMinn was governor.
13. Compare first settlements in West Tennessee with those of East and Middle Tennessee.
14. Natural ways of travel in West Tennessee.
15. How the country was acquired and why it grew so rapidly.
16. Counties organized from 1819 to 1824.
17. Oldest settlement in West Tennessee.
18. Names of our counties and towns.
19. The Nile and the Mississippi.
20. Ancient and modern Memphis.
21. Historic events connected with Memphis.
22. Books of reference.
23. Why Memphis was not a center of settlement.
24. Encouragement to Chickasaw hunters.
25. Story showing their honesty.

CHAPTER XX

CARROLL, HOUSTON, AND HALL, 1821–1835

Up to 1821 the four governors who had served the state had been elected for their personal worth, without regard to questions of public policy or, as we call it, politics. There was a change in 1821. The prominent candidates for governor then were Edward Ward and William Carroll.

Ward was a Virginia gentleman of learning and wealth, but of manners and habits not suited to the plain ways of a new state. He had aristocratic notions of government and society, and was accused of having been a Federalist in Virginia, and of having changed his politics after he came to Tennessee for the purpose of getting votes. These things made him unpopular.

William Carroll was a native of Pennsylvania, and had come to Nashville as a hardware merchant when quite a young man. He was a successful business man, fond of military life, and had been one of Jackson's bravest and best officers in the Creek War. He was plain and sincere in manners, social in disposition, and especially popular with his old soldiers.

The constitution of 1796 made taxes upon large land owners lighter, proportionally, than upon small ones. Under this constitution also the legislature elected all of the judges of courts and justices of the peace to hold office

for life if they behaved well. The county courts elected the coroners, sheriffs, trustees, etc., for the counties. This left the people to elect only the governor and members of the legislature.

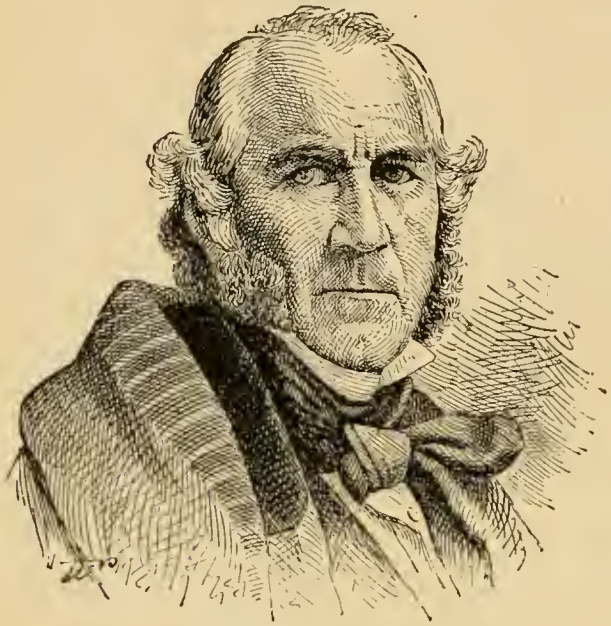
Carroll advocated a change of the constitution to reform these and many other affairs in the government of the state. Ward wished the constitution and government of the state to remain as they were. This was the chief issue between the two candidates. With this canvass began the prominent parts that newspapers have since taken in the elections of the state. Before that date the papers published the news as they found it and said little about candidates.

The canvass was quite warm and exciting, and many ridiculous and amusing things were said and done on both sides. The great mass of the people supported Carroll, and he received more than three times as many votes as Ward. Carroll was governor for three successive terms, or until 1827, when Sam Houston and William Hall filled the office for two years. After this Carroll was again elected three times in succession. That is, Carroll was governor from 1821 to 1835, except the two years from 1827 to 1829. John Sevier and William Carroll are the only men who have ever held the office of Governor of Tennessee for twelve years.

As the administration of Houston and Hall has no marked or special features, these men will be considered here, and the long term of Carroll will be treated in another chapter.

Sam Houston was born in Rockbridge County, Virginia, in 1793, and came to Tennessee in 1806. Hard work and little schooling was the lot of his boyhood. When a large boy he joined a band of Cherokee Indians and lived among

them nearly two years. He then joined the army and made himself famous at the battle of the Horseshoe. After peace was made he studied law and was elected district attorney at Nashville. In 1823, and again in 1825, he was elected to Congress. In 1827 he succeeded William Carroll as governor. In January, 1829, he married Miss Eliza Allen of Sumner County. About the first of April she left him and returned to her father's house. Neither of them ever accused the other of anything wrong, or ever offered a word of explanation of this strange conduct.



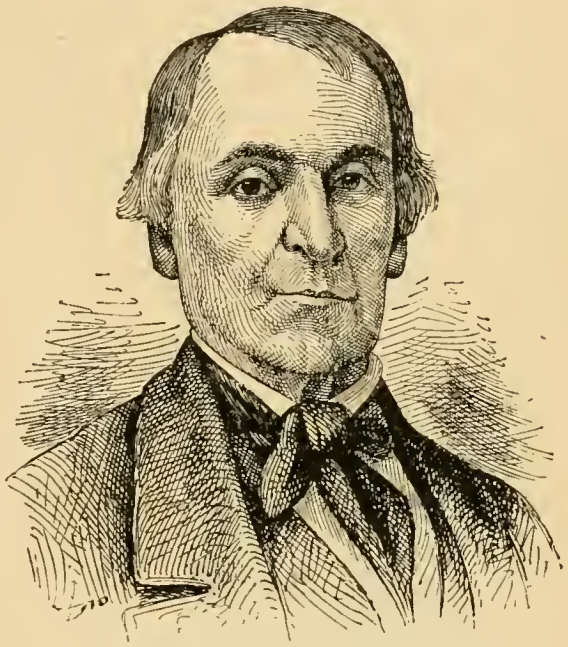
Sam Houston

Immediately after the separation from his wife, Houston resigned the governorship and went to the Indian Territory, where he lived for some time with his old friends, the Cherokees. From there he went to Texas and became the leader of the Texans in their war with Mexico. He was commander of the Texan army in the famous battle of San Jacinto which won the independence of Texas. He was made president of the new republic, and after it was annexed to the United States he was senator in Congress, and afterward governor of the state. He reared in Texas a family of two sons and four daughters, having married Miss Margaret Lea, from Marion, Alabama. He died in 1863.

When Houston resigned the governorship, William Hall was speaker of the state Senate. By the provisions of the

constitution he became governor, and served from April, 1829, till October, when Carroll succeeded him.

William Hall was born in Virginia and came to Sumner County, Tennessee, in his youth. He had become sheriff of his county, and a brigadier general in the Creek War, and was a devoted friend of Andrew Jackson and William Carroll. As speaker of the Senate he had shown himself an able and capable officer. His term as governor was only about six months, and was too short for the display of any great statesmanship.



William Hall

The Houston-Hall administration contented itself with maintaining, as nearly as possible, the policy of Carroll, which was perhaps the best it could have done. It was remarkable for nothing except the sudden and dramatic resignation of Houston, and the consequent display of vanity and sensitiveness in the character of a really great man.

WHAT HAVE WE LEARNED?

1. Political questions before 1821.
2. Sketch of Edward Ward.
3. Sketch of William Carroll.
4. Provisions of the constitution of 1796.
5. The issue between the two candidates.
6. The newspapers.
7. The canvass.

8. Result of the election.
9 Length of Carroll's governorship.
10. Successor of Carroll in 1827.
11. Sketch of Sam Houston in Tennessee.
12. After he left Tennessee.
13. What is meant by "speaker of the Senate"?
14. When does he become governor of the state?
15. Sketch of William Hall.
16. Noted events of the Houston-Hall administration.

CHAPTER XXI

ADMINISTRATIONS OF WILLIAM CARROLL, 1821–1835

Among the first acts of Governor Carroll was the giving of some good advice to the people of the state. He told them that stay laws and replevin acts and loan offices and state banks, and all the other fine things that politicians and office seekers had been talking about so nicely, could never put any wisdom into their heads nor any money into their pockets; that if they wished to be wise men they must use their own common sense and think and study about how to manage their own affairs; that if they wished to improve their fortunes it could be done by working more and talking less about hard times; by spending less money for foreign goods and saving what they made; by paying their debts and attending to their own business, instead of waiting for luck or Providence or office holders to attend to it for them.

William Carroll

I suspect that this would be very good advice for people of the present day; even for girls and boys in school, who are sometimes tempted to grumble about hard lessons and trust to luck or their teachers or some one else to help them, when they should go resolutely to work and help

themselves. But of course none of the girls and boys who read this book ever act that way, and if you should see any that do, you may just read them Governor Carroll's advice.

The governor knew that if he could get the people to think and act as he advised, there would soon be money in the treasury to make the improvements in roads, buildings, etc., that the state needed very much; and that he would be able to secure changes in the government that would be of real value to the whole people.

The following were the principal things that Governor Carroll earnestly advocated: —

1. A change in the constitution that would improve the methods of laying taxes and electing officers, and that would avoid conflicts between the different courts.
2. A good system of internal improvements.
3. A state penitentiary.
4. A hospital for insane people.
5. A state capitol.

These were not the only measures that Governor Carroll advocated, but they were the principal ones, and he secured all of them except the building of the capitol. That was not begun until 1845.

In Chapter XX. the election of officers by the legislature and the county courts has been explained. The constitution of 1796 did not establish any courts, but provided that the legislature might establish superior and inferior courts of law and equity. The legislature established county, circuit, chancery, and supreme courts; but failed to specify the exact duties or jurisdiction of each court.

Under this system a man might bring a suit before a justice of the peace, and appeal to the county court, and then the other party might take it out of the county

court to the circuit court, and then appeal to the supreme court. Before it could be decided there, the lawyers of either side might file a bill in equity and take the case out of the supreme court and have it all tried over again in the chancery court, and then appeal again, and so on. The poor men who had started the suit would then begin to wish they had never heard of it, and their neighbors who were witnesses wished it more heartily still, and often said so in very emphatic language. The witness fees, clerks' fees, lawyers' fees, and court costs in a five-dollar suit would sometimes amount to $500 or more.

Governor Carroll said that the constitution ought to be changed so as to allow the people to elect their own officers to serve for a specified term; and that it should establish courts and regulate or limit their jurisdiction. In 1834 he succeeded in having a convention held which made a new constitution that reformed these and many other features of the state government.

Nearly all of the governors from Sevier to Carroll had asked the legislatures to vote money for "internal improvements." Internal improvements mean just about this: to hire men to pull logs, brush, and other obstructions out of the smaller rivers so that boats could sail freely in them; to open and grade wagon roads and bridge the streams between the different towns and counties; and to do whatever else might be needed to make traveling over the state, carrying crops to market, and bringing goods from market, easier and cheaper for the people.

Governor Carroll got larger appropriations for these purposes than other governors had received, and made very great improvements, especially in the smaller rivers. Later in the history of the state "internal improvements" included macadamized roads and railroads, but there was

not a railroad built in the state until 1851, when the Nashville and Chattanooga began to run the first train of cars in Tennessee.

Long ago the punishments for violations of the law were often cruel and brutal. The offender was branded with a red-hot iron, or was whipped until the blood ran down to his heels, or his hands and neck and feet were made fast in the stocks and kept there until he fainted from the summer heat, or was frost-bitten by the cold of winter.

Very often the juries would not convict a man that was guilty, because they knew the punishment would be greater than was deserved. This had a bad effect. Lawbreakers became more numerous, and Governor Carroll recommended that many punishments be changed to hard labor in the county workhouses and the penitentiary. His recommendation was followed, and in 1831 the penitentiary was established where lawless characters are locked up for a term of years, sometimes for life, and are made to work every day at some useful employment.

Another great event in the history of this administration was the founding at Nashville, in 1832, of a hospital for the insane. Before that date the unfortunate people who had lost their reason had to be kept in the county jails, or taken care of by their friends at great trouble and expense, and usually without proper arrangements for their comfort or safety. From the small beginning at Nashville in 1832, the state has enlarged this grand charity to three fine asylums: one near Nashville, built in 1849; one near Knoxville, built in 1883; and one near Bolivar, built in 1887. When people spend their money for the relief of the suffering and unfortunate, it shows that they are becoming a kinder and better people, and the beginning of such charities is an important event in the history of a state.

You must not think that Governor Carroll alone accomplished all the reforms mentioned in this chapter, or that all that he did has been mentioned. He did many other good things and many good people helped him, but he was the leading spirit. When he believed a measure to be right he never cared whether it was popular or not; he kept urging it until he convinced the people and the legislature that it ought to be carried out. With the possible exception of John Sevier no other governor of Tennessee ever exercised as commanding an influence over the people and the legislature, and Carroll's administrations mark in the history of the state an epoch that was almost revolutionary in results.

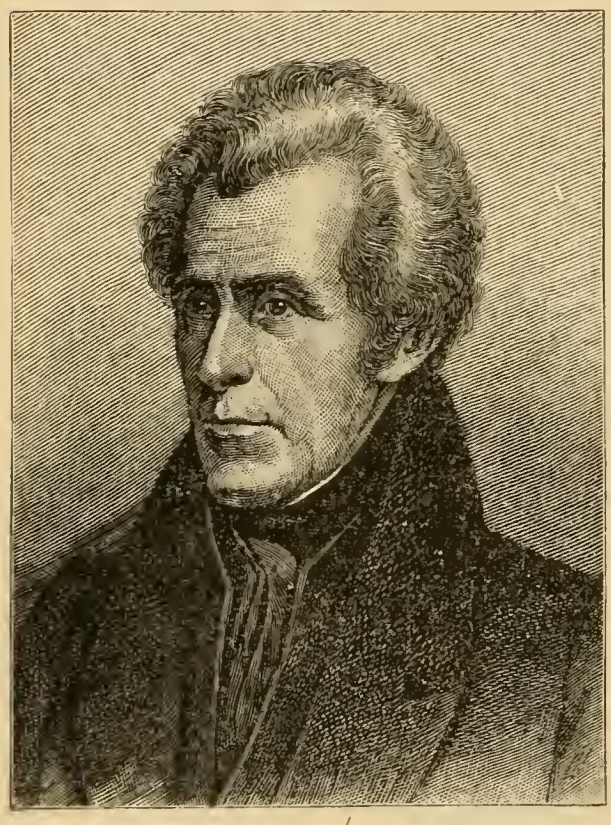
WHAT HAVE WE LEARNED?

1. Governor Carroll's good advice.
2. Application to girls and boys.
3. Probable result to the state of following the governor's advice.
4. Five principal measures advocated.
5. Were these five all?
6. Reference to Chapter XX.
7. Courts under the Constitution of 1796.
8. A small lawsuit under this old system.
9. Constitutional convention of 1834.
10. Explain "internal improvements."
11. First railroad in Tennessee.
12. Legal punishment in the olden time.
13. Effect on juries and on crime.
14. Governor Carroll's ideas on this subject.
15. Date of establishing the penitentiary.
16. Insane people before 1832.
17. Location of asylums for the insane.
18. What is shown by the building of such institutions?
19. William Carroll's work as a governor.
20. His influence in the state.

CHAPTER XXII

CANNON'S AND POLK'S ADMINISTRATIONS, 1835–1841

From 1830 to 1850, it might be said, Tennessee almost ruled the United States. Her senators and representatives in Congress were shrewd and able men, her great statesmen filled important places in the Cabinet and in foreign ministries, her lawyers were judges of federal, circuit, and supreme courts, and Tennesseeans were Presidents during twelve years in a period of twenty. No other state except Virginia had ever held so commanding an influence in national affairs.



Andrew Jackson

In this chapter will be given short sketches of some of these distinguished men, and of some of their political battles.

Andrew Jackson was born at Waxhaw, South Carolina, in 1767. At fourteen years of age he was in the American army fighting the British. His brother was killed in the war, and he himself was wounded and much abused by the British. He never forgot their injustice and cruelty.

At the close of the Revolution he studied law and came to Rogersville, Tennessee, in 1788 or 1789. Thence he moved to Nashville, where he made his home for the remainder of his life.

He was a soldier in the Nickojack Expedition, member of the constitutional convention of 1796, representative

The Hermitage

and senator in Congress, judge of the Superior Court of Tennessee, a general in the army, and President of the United States from 1829 to 1837. He died at "The Hermitage," his home near Nashville, June 8, 1845, and he and his wife are buried there. Rarely, if ever, has a man lived who had such lofty patriotism, such bitter prejudices, such dauntless courage, and such unbending will.

After the War of 1812 Jackson was one of the most noted men in the United States. In 1824 he was a candidate for President, against John Quincy Adams of Massachusetts, William H. Crawford of Georgia, and Henry Clay of Kentucky. Jackson received 99 electoral votes, Adams 84, Crawford 41, and Clay 37. It required 131 votes to elect, so no one was elected by this vote, and in accordance with the Constitution of the United States the House of Representatives had to elect a President. Clay disliked Jackson and persuaded his friends to vote for Adams. Adams was elected and made Clay his Secretary of State. Jackson and his friends charged Adams and Clay with having made a corrupt bargain, and this made Clay and Adams and their friends dislike Jackson even more than before.

Since the death of the Federalist party in 1812, all the people had been Democratic Republicans, but after the contest between Jackson and Adams the Clay and Adams party began to be called National Republicans and the Jackson party, Democrats.

Jackson and Adams were again candidates for President in 1828, and Jackson was elected. He served eight years, being reëlected in 1832. He was firm and resolute in carrying out his ideas of duty, and very hostile to all who differed from him; and he made many bitter enemies and many warm friends. He was very anxious to have Martin Van Buren of New York succeed him in 1837, and his attempts to force his ideas on the people of Tennessee divided his party in the state.

Hugh L. White was one of the distinguished Tennesseeans of this period. He was born in North Carolina in 1773, and came to Tennessee in 1786. He became a member of the legislature, judge of the supreme court of

the state, and United States senator. He wished to be a candidate for President in 1836 to succeed Jackson in 1837. Andrew Jackson, Felix Grundy, Aaron V. Brown, Cave Johnson, James K. Polk, John Catron, and others were against him. A newspaper, called *The Nashville Union*, was established to oppose him.

Some of those who favored Hugh L. White were John Bell, Newton Cannon, Ephraim H. Foster, Allen A. Hall, and David Crockett. *The Whig* and *The Clarion* were two newspapers at Nashville that advocated White's cause. Tennessee voted for White, but Van Buren was elected President in 1836.

William Carroll was the Democratic, or Jackson, candidate for governor in 1835, and Newton Cannon the National Republican, or White, candidate. From about this date the National Republicans were called Whigs. Cannon was elected, not because the people thought less of Carroll, but because they were unwilling to submit to Jackson's dictation. The people loved and honored General Jackson, but they thought he had no right to try to make them vote for Martin Van Buren for President.

Newton Cannon

Newton Cannon was born in North Carolina in 1781, and came to Tennessee when he was a boy. He became a lawyer and was elected a member of the legislature from Williamson County in 1811. From the legis-

lature he went to the Creek War and became a colonel of volunteers. In 1814 he was elected to succeed Felix Grundy in the United States Congress. He was Governor of Tennessee four years, from 1835 to 1839. He was again the Whig candidate in 1839, but was defeated by James K. Polk, who served only one term, from 1839 to 1841.

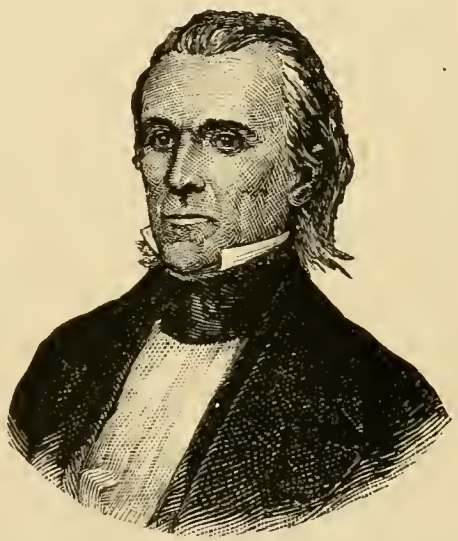
The administrations of Governor Cannon had no special influence on the affairs of the state. The Seminole War in Florida occurred in 1836, and Tennesseeans, according to their custom, took an active part in the war. Pioneer life had nearly passed away. Towns, cities, schools, churches, and well-cultivated farms were becoming numerous, and evidences of growing wealth and culture were seen in all parts of the state. Carroll's vigorous administrations and the constitutional convention of 1834 had made needed reforms in the state government, and this was a period of law and order.

The last years of Carroll's rule and the first years of Cannon's saw the overthrow of the worst band of criminals that ever infested the Southwest. Before good wagon roads and railroads were made, nearly all of the commercial wealth of the country passed up and down the rivers. The very worst characters of the country assembled along the rivers for the purpose of stealing and robbing from the boats, and sometimes bands of them would take possession of a little river town and defy the authorities. They were called river pirates.

John A. Murrel was a Tennesseean of whom his countrymen have just cause to be ashamed. He was a man of good sense and could have been a useful citizen if he had turned his attention to something besides meanness. He made himself famous, or rather infamous, as the "great land pirate." He lived in Madison County, and organized

all of the thieves, robbers, gamblers, cutthroats, and ruffians that he could, from Kentucky to New Orleans, into one band of which he was the chief. They gambled in the towns, robbed boats on the rivers, stole horses and negroes from farms, and killed people everywhere. They threatened to kill any person who reported one of their number to the officers of the law.

In 1834 Virgil Stewart discovered Murrel in the act of stealing negroes from one of his neighbors. Murrel was sent to the penitentiary for ten years, and was completely broken down in mind and health by the time his term expired. He lived but a short time after his release from prison. Five gamblers and ruffians tried to take possession of Vicksburg, Mississippi, on the 4th of July, 1835. They were captured and hanged by the citizens without trial. At other places some were hanged, some shot, and some sent to prison. This was the end of the Murrel Clan and the river pirates.



James K. Polk

James K. Polk was born in North Carolina November 2, 1795. He came to Tennessee in 1806, but was educated at the University of North Carolina, where he graduated in 1818. He studied law, but soon went into politics, and was a member of the legislature in 1823. From 1825 to 1839 he was a representative in Congress and speaker of the House of Representatives for the last four years of this period. He was Governor of Tennessee from 1839 to 1841, and President of the United States from 1845 to 1849. His term of office closed March 4, 1849,

and he died the 15th of June following. His remains, with those of his wife, who lived until August, 1891, are buried in the Capitol grounds at Nashville.

Governor Polk's administration was a period of wild political excitement in which the immediate affairs of the state had little or no part. Every one seemed to think that the state could get along well enough without any special care, and each political party turned its whole attention to national affairs and noisy campaigns.

In 1840 the Whigs nominated William Henry Harrison of Ohio for President, and the Democrats renominated Martin Van Buren. As Tennessee was the home of Andrew Jackson, who was ardently for Van Buren, the Whigs determined that the vote of Tennessee should be given to Harrison. The Democrats were just as determined that Van Buren should have it.

Before that time no such political uproar had ever been created in America. The men in public life in Tennessee were, as a body, by far the most able and brilliant in the United States, and, as expressed by a writer of that day, "all went into the campaign with their coats off and their sleeves rolled up." He meant that each one intended to work long and hard for the election of his candidate.

There were conventions and barbecues and torchlight processions and big speakings without number. There was a Whig convention at Nashville where Henry Clay is said to have spoken to ten acres of people. The Whigs called Van Buren a Dutch aristocrat and a political huckster, and Jackson's "heir apparent to the government," and many other names not at all complimentary. The Democrats said Harrison was a frontier soldier who was ignorant of civil affairs; that he was an old Hoosier fit only to live in a log cabin in the backwoods of Ohio, drink

hard cider, and skin coons. In fact, there is no telling how many rough and dirty things were said. If any one believed half of the ugly stories that were told, he would think that both candidates and most of their friends ought to have been put into the state's prison or the lunatic asylum.

The newspapers went into the fight with all of the humor and sarcasm and bitterness that Jeremiah Harris and William G. Brownlow could command, — and that was far from being a little. What one party said would be twisted around to the use of the other. Log cabins, coons, and cider became Whig emblems, while the Democrats used roosters and spread-eagles. Nearly everybody seemed to have gone mad, and only a few men kept their senses and made grand speeches on public questions.

As the election day approached, the excitement grew worse. All over the state there was a grand campaign-closing, with drums, fifes, brass horns, guns, firecrackers, banners, roosters, eagles, coons, cabins, hard cider, drunken men, fist fights, aching heads, and bloody noses. Harrison was elected, and the Whigs were jubilant. They immediately began making preparations to defeat Polk for governor in 1841.

WHAT HAVE WE LEARNED?

1. Influence of Tennessee from 1830 to 1850. Why?
2. Sketch of Andrew Jackson.
3. The presidential election of 1824.
4. Jackson's charge against Adams and Clay.
5. Political parties after 1824.
6. Jackson's term as President and conduct in office.
7. Attempt to have Martin Van Buren succeed him.
8. Sketch of Hugh Lawson White.

9. Distinguished men opposed to White.
10. Those who wished him to be a candidate.
11. The newspapers.
12. Whig and Democratic candidates for governor in 1835.
13. Result of election and reasons for this result.
14. Sketch of Newton Cannon.
15. Conditions under Cannon's administration.
16. River pirates.
17. John A. Murrel.
18. Overthrow of the outlaws.
19. Sketch of James Knox Polk.
20. Conditions under Governor Polk's administration.
21. Candidates for President in 1840.
22. Reasons for a very active campaign in Tennessee.
23. Party abuse of rival candidates.
24. Newspapers and party emblems.
25. Close of the campaign, and the election.

CHAPTER XXIII

JAMES C. JONES'S ADMINISTRATIONS, 1841–1845

In 1839 Newton Cannon and James K. Polk had canvassed the state in joint debate. This means that the two candidates for governor made appointments to speak on certain days at the principal towns in the state. At one town Cannon would speak first and Polk would answer him. At the next place Polk would speak first and Cannon would answer him, and so they went over the state.

Cannon was a good lawyer and a strong man in debate, but was a slow, dignified speaker and was somewhat dull and tiresome to the crowds that attended the speakings. Polk was a bright, ready man who made jokes at Cannon's expense, and told stories that made the people laugh, and kept Cannon worried and irritated all the time. Polk could also debate the questions thoroughly when he chose to do so, as he was a very able and well-informed man. As you already know, Polk was elected.

James Chamberlain Jones

In 1841 the Whigs put up against Polk a candidate who was very different from Cannon. This was James Chamberlain Jones, usually called "Lean Jimmy" because he

was six feet two inches high, and weighed only one hundred and twenty-five pounds. He was born in Davidson County in 1809, and was a farmer in Wilson County when he was elected to the legislature in 1837 and again in 1839. He was Governor of Tennessee from 1841 to 1845, and was the first native of the state to hold that office. He moved to Memphis in 1850 to become president of the Memphis and Charleston Railroad. He was elected to the United States Senate in 1852, and died in 1859.

Polk knew he was superior to Jones in serious debate, and therefore wished to conduct the canvass in a serious manner, but Jones was too shrewd a politician to allow that.

Polk found himself in 1841 in much the same plight that Cannon had been in 1839. Jones was a natural mimic and actor. He paid no attention to Polk's arguments except to turn them into ridicule, and to make a laughingstock of their author. He burlesqued Polk's speeches with the most outrageous and ridiculous anecdotes, that brought roars of laughter from the crowds. Polk lost his temper; Jones kept perfectly cool and, while looking as serious as a judge on the bench, told more jokes and made them spicier than before. Polk was mortified and disgusted; Jones looked as solemn as the Sphinx; the people shouted themselves hoarse and laughed until their sides ached.

All of the Whigs and a few of the Democrats said it was good enough for Polk; that Jones was making him "take some of his own medicine"; that he was being "paid back in his own coin" for the way he had treated Cannon in 1839. Jones was elected, and again defeated Polk in 1843, chiefly, but not entirely, by the same methods as in 1841. These two men have generally

been regarded as the authors or originators of what has been called "the art of stump speaking." It is a great pity that any such "art" as these campaigns exhibit was ever practiced. In a free government the merits of all public questions should be freely discussed, without political trickery or campaign stage acting, and the people ought to vote according to their best judgment.

For several years before Governor Jones came into office the state had been giving large sums of money for internal improvements. The Whigs accused the Democrats of giving the contracts for work in such manner as to influence elections, and of using the state bank for the same purpose. The Democrats denied this, and said that the Whigs wished to get into office so that they might do the very things which they had accused the Democrats of doing. Of course the honest men of both parties wished no such unfair things to be done by any one.

In the legislature of 1841 the Whigs had a very small majority in the House of Representatives. In the Senate there were twelve Democrats, twelve Whigs, and one independent member. There were two United States senators to be elected. The independent, Samuel Turney, was elected speaker of the Senate, and he and the twelve Democrats voted for H. L. Turney, Samuel's brother, for United States senator. The Whigs of the House would not accept this, but invited the Senate to meet them in joint session. This the Democrats refused to do, and Tennessee had no senators in Congress from 1841 to 1843. Samuel Turney and the twelve Democrats have ever since been called "the immortal thirteen." Andrew Johnson was one of them.

Governor Jones nominated a new board of directors for the state bank, but "the immortal thirteen" voted against

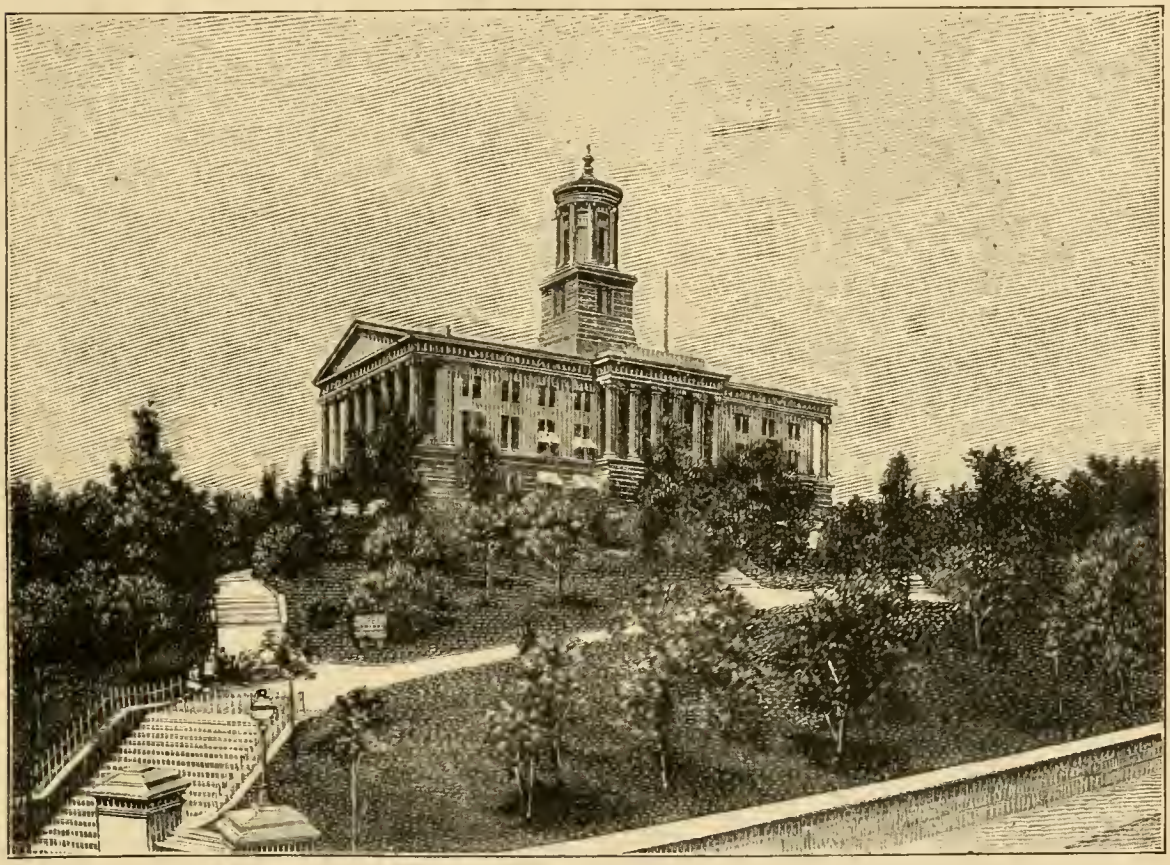
them and left the old Democratic directors in office. The governor also recommended an investigation of the affairs of the bank, but the "immortal thirteen" defeated this also. People began to think that there might be some truth in the charges made against the Democrats, and Polk, though an able and upright man, was badly defeated in 1843.

During Jones's administrations the "state debt" began to appear as a political question. I shall not try to explain this to my young readers now. The banks, internal improvements, land grants, and the state debt are very closely interwoven in state affairs, and together they form a very complicated problem. Only our best lawyers, ablest statesmen, and wisest historians understand this very confused and intricate part of the history of the state. The state debt will be mentioned under the administrations of the governors who had most trouble with it.

The Legislature of Tennessee held its sessions at Knoxville until 1812. Three sessions were then held at Nashville, and then one at Knoxville in 1817. From 1819 to 1825 all sessions were held at Murfreesboro. After 1825 they were held at Nashville. In 1843 the legislature made Nashville the permanent capital of the state, and the corner stone of the Capitol was laid on the 4th of July, 1845. The legislature used the building in 1853, but it was not finished until 1856. Before 1853 the legislature had held its meetings in courthouses.

Governor Jones and the legislators of 1843 made two appropriations that are a lasting credit to them and an honor to the state. They gave the first money ever given for that purpose from the treasury, to establish at Nashville a school for the blind, and at Knoxville a school for deaf mutes. Before that time the Tennessee girls and boys who were blind or deaf had to grow up without edu-

cation, unless their parents were able to send them away to the schools in Europe or in some of the northeastern states. The founding of these schools shows that the people were not thinking entirely of political hubbub, but were growing more refined in feeling, and more wise and practical in their methods of helping the needy and unfortunate.



The Capitol, Nashville

In 1844 James K. Polk was nominated by the Democrats for President of the United States. The Whigs nominated Henry Clay of Kentucky. Both parties knew that the fight would be desperate, and both believed that Tennessee would be the center of the political battle. There was still almost the same grand array of able statesmen and brilliant orators in both parties that had conducted the former campaign. All over the state the scenes of 1840 were repeated. The Democrats had a

better candidate than then and fought harder for him. The Whigs won in Tennessee, but Polk was elected President. This was the first time that a candidate had ever lost his own state and still been elected. The defeat of Clay was a great disappointment to the Whigs, as they considered him the greatest man of the United States.

In 1845 Governor Jones's second term of office expired, and he declined to be a candidate again. The Whigs nominated Ephraim H. Foster, and the Democrats Aaron V. Brown. Brown was elected and served only one term.

WHAT HAVE WE LEARNED?

1. A canvass in joint debate.
2. Canvass of Polk and Cannon. Result.
3. Whig candidate for governor in 1841.
4. Sketch of James C. Jones.
5. Canvass of Jones and Polk.
6. How the people regarded Polk's humiliation.
7. "The art of stump speaking."
8. Best method of maintaining good government.
9. Charges of the Whigs against the Democrats.
10. Democratic denial.
11. The two parties in the legislature of 1841.
12. Tennessee without United States senators.
13. "The immortal thirteen."
14. New board of directors and investigation of the state bank.
15. Conclusions of many people. Result.
16. The "state debt" as a part of our history.
17. The three capitals of the state.
18. Permanent capital, and the building of the Capitol.
19. Famous appropriations of 1843.
20. What these appropriations show.
21. Presidential campaign of 1844.
22. Peculiar condition of Polk's election.
23. Candidates for governor in 1845.
24. Result of the election.

CHAPTER XXIV

FOUR ADMINISTRATIONS, 1845–1853

1. Aaron V. Brown, Democrat.
2. Neill S. Brown, Whig.
3. William Trousdale, Democrat.
4. William B. Campbell, Whig.

From 1840 to 1860 questions of purely state policy had little or nothing to do with the choice of governors. Every state election was fiercely contested on some issue of national or sectional politics. So nearly equal were the parties in Tennessee that, from the election of Polk in 1839 to the election of Andrew Johnson in 1853, the governors were alternately Democrats and Whigs, and none except James C. Jones held the office more than one term.

Aaron Vail Brown

Aaron Vail Brown was born in Virginia in 1795. His parents moved to Giles County, Tennessee, in 1813, and had him educated at the University of North Carolina. He studied law at Nashville and after commencing practice formed a partnership with James K. Polk. He was a member of the state Senate from 1821 to 1827, and representative from Giles County in 1831. He was a member

of Congress from 1839 to 1845, when he was elected Governor of Tennessee. In 1857 he was appointed Postmaster General by President Buchanan, and died at Washington city in 1859. He was a fine lawyer, a fluent speaker, and a sagacious politician. He was a sturdy Democrat of the Jackson school.

The Whig candidate for governor in 1845 was Ephraim H. Foster. He was a native of Kentucky, but came to Davidson County, Tennessee, in 1797, when only three years old. He was educated at the University of Nashville, and became a lawyer. He was General Jackson's private secretary in the Creek War, and began public life as a member of the legislature, where he served in 1827, 1829, and 1835. In 1837 he was elected to the United States Senate, but resigned in November, 1839, because he had been instructed by the legislature to vote for some of Van Buren's measures. He was one of the candidates for the United States Senate defeated by "the immortal thirteen" in 1841. In 1843 he was elected United States senator and served until 1845, when he became a candidate for governor and was defeated by Aaron V. Brown. He died in 1854. He was a talented man, a brilliant orator, and was personally very popular, though he was considered inconsistent in his political course.

In Chapter XX. the war between Texas and Mexico was mentioned in connection with Sam Houston's life. After Texas became an independent state it desired to be admitted to the American Union. Some of the people of the United States were in favor of this, and some were opposed to it. Some said that it would bring on a war between the United States and Mexico, and that they wanted no war. The abolitionists, in the North, said that it would add more slave territory to the country, and that

they did not want any more. Those in favor of annexation said they would risk all of these things to help the Texans, as nearly all of them were people from the United States.

When Polk was a candidate for President he boldly advocated annexing Texas, and in 1845 Texas became one of the United States. The danger of war grew out of a dispute between Texas and Mexico about a boundary line. Texas claimed that the Rio Grande River was the dividing line. Mexico claimed that the Nueces River was the line. Between these rivers was a strip of disputed territory.

In the spring of 1846 President Polk ordered General Zachary Taylor to take his army into the disputed territory and hold it for Texas. The Mexicans resisted this, and thus began the Mexican War, which closed with the surrender of the city of Mexico to a United States army in September, 1847.

Governor Aaron V. Brown called for twenty-six hundred soldiers for the Mexican War. In answer to this call thirty thousand volunteered. Tennessee was the "Volunteer State." Among the famous men of Tennessee who took part in this war were Gideon J. Pillow, W. T. Haskell, William Trousdale, William B. Campbell, B. F. Cheatham, and William B. Bate. The last two were very young at the time of the Mexican War, and afterward became famous in the Civil War.

The readiness with which Tennesseeans volunteered for this war was caused in part by the treatment the Mexicans had given men from their own state in the Texan War of 1836. In a fort called the Alamo, at San Antonio, Texas, 4000 Mexicans besieged 140 men under Colonel William Travis. After killing about ten times their own number of Mexicans, the Texans surrendered under positive prom-

ise to be treated as prisoners of war. Instead of keeping his promise, the Mexican general, Santa Anna, had these men murdered. Among them was David Crockett from Tennessee.

David Crockett was born in the wilds of East Tennessee in 1786. Early in life he removed to Middle Tennessee,

At the Alamo

married, and settled in what is now Giles County. It was a wilderness then without definite county lines. He made a good soldier in the Creek War, was elected colonel of the militia of his county, and afterward a member of the legislature. In 1822 he removed to Obion County, and was again sent to the legislature in 1823. In 1825 he was defeated for Congress, but was elected in 1827. In 1829 he was defeated on account of his violent opposition to Jackson. In 1833 he was again sent to Congress and

was one of Jackson's strongest political enemies. In the election of 1835 he was again defeated, and he then went to Texas. He was killed in cold blood March 6, 1836, after the surrender of the Alamo.

Many absurd stories have been told of Colonel Crockett's fondness for hunting, his whisky drinking, his ignorance, and his boorishness. Born and reared as he was in the forests of a new country, he was very naturally fond of hunting and adventure, and killed many bears, panthers, and other wild beasts. But hunting was not his business; it was only his amusement. He was never in any sense a drunkard. Instead of being ignorant he was really very shrewd and intelligent. His opportunities at school had been very poor, but I have seen letters, written with his own hand, that showed good sense and great information, as well as good writing and fine taste in composition. Instead of being a boor he was a very social and popular man of good manners according to frontier standards.

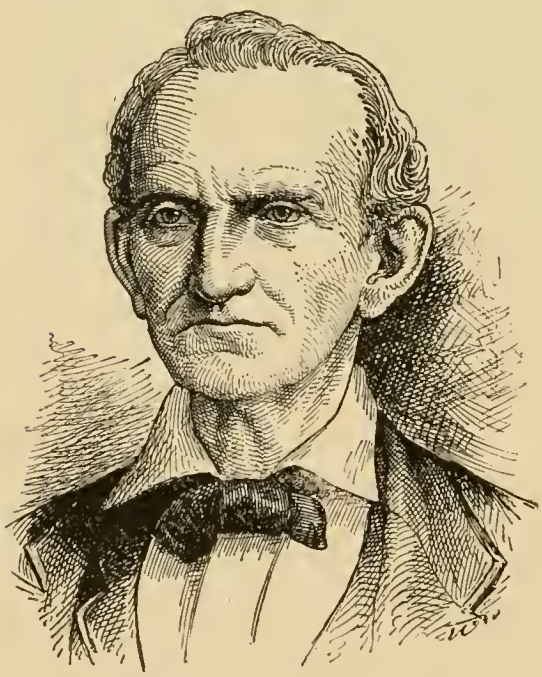
David Crockett

The Mexican War not only secured Texas for the United States, but added what is now California, Nevada, Utah, most of Arizona and New Mexico, and parts of Colorado, Wyoming, Kansas, and Oklahoma. This was the greatest addition ever made to the territory of the United States except Jefferson's purchase of Louisiana.

A Tennessee President had given to the United States a domain nearly equal in area to fifteen states as large as Tennessee.

The whole of Governor Aaron V. Brown's administration was a period of political struggle and war excitement, and the peaceful pursuits of the people are seldom mentioned in the newspapers, magazines, and books of that day.

The admission of Texas and the gain of the new territory increased the great strife about negro slavery. The people charged all of the trouble to the Democratic party. President Polk was accused of being partial to Democrats in making appointments in the army, and of treating General Taylor unfairly because he was a Whig. Governor Aaron V. Brown had to answer these and many other charges against his party when he became a candidate for reëlection in 1847. He was defeated by Neill S. Brown, the Whig candidate for governor.



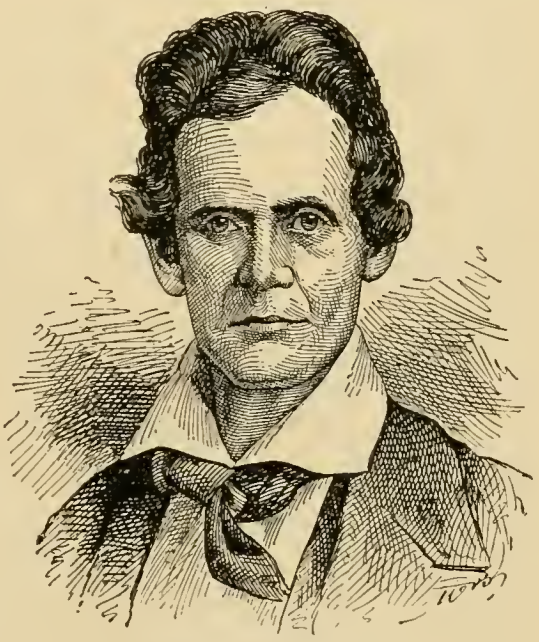
Neill S. Brown

Neill S. Brown was born in Giles County, Tennessee, in 1810. He was a soldier in the Seminole War, a member of the legislature, a presidential elector, a candidate for Congress, and from 1847 to 1849, Governor of Tennessee. He was the second governor who had been born and reared in the state. In 1850 he was minister to Russia, in 1855 speaker of the state House of Representatives, and in 1870 a member of the constitutional convention of Ten-

nessee. He died at Nashville in 1886, loved and honored as few public men have been.

Probably the most important state feature of Governor Neill S. Brown's administration was his effort to establish a system of public schools. He urged the legislature to pass a law that would allow the counties to levy a school tax and establish schools of their own. An act was passed, but not in the form he wished it, and it resulted in no permanent school system.

In the presidential campaign of 1848, Lewis Cass of Michigan was the Democratic candidate, and the Whigs nominated General Zachary Taylor of Mexican War fame. The speakings and torchlight processions and political songs and general uproar and tumult of the campaign were very little inferior to the stormy canvass of 1840. Taylor was elected, and the Whigs were wild with delight. In 1849 they nominated Neill S. Brown for reëlection as governor, but he was defeated by the Democratic candidate, William Trousdale.



William Trousdale

General William Trousdale was born in North Carolina in 1790, and came to Tennessee when only six years old. He left school to become a soldier in the Creek War, and was under Jackson at Pensacola and New Orleans. In 1835 he was a member of the state Senate, in 1836 a colonel in the Seminole War, in 1847 a brigadier general in the Mexican War. So many and so brave had been his services in camp and battle that he

was called "The War Horse of Sumner County." In 1849 he was elected Governor of Tennessee and he held office one term. In 1852 President Pierce made him minister to Brazil. He died in 1872.

One of the most important events in the period of Governor Trousdale's administration was the meeting of the "Southern Convention" at Nashville in 1850. This was an assembly of men from the southern states to consider the compromise measures then before Congress, and to give their opinions about what the South had better do on the subject of negro slavery.

This convention had been called chiefly by the efforts of Andrew Jackson Donelson, a nephew of Andrew Jackson. Nearly all of the members were Democrats, and they made speeches and passed resolutions that led many people to think that they were either very rash and foolish, or very disloyal to the Union. Others said they were wise and good men, who wished nothing more than what was plainly written in the Constitution of the United States.

Andrew J. Donelson said the proceedings of the convention were not what he desired or expected, and that he would not indorse its action. The Whigs denounced the meeting as a secession convention of Democrats. Aaron V. Brown and A. O. P. Nicholson denied this, and claimed that the Democrats were as loyal to the Union as the Whigs were. However this may have been, the people of Tennessee became a little suspicious of the Democratic party, and in 1851 Governor William Trousdale, renominated for governor, was defeated by the Whig candidate, General William B. Campbell.

William B. Campbell was born in Davidson County in 1807. He was a nephew of Governor David Campbell, of Virginia, under whom he studied law. He was state's

attorney in 1829, member of the legislature in 1835, a captain in Trousdale's regiment in the Seminole War, member of Congress from 1837 to 1843, colonel of the First Tennessee Regiment in the Mexican War, a judge of the circuit court, and Governor of Tennessee from 1851 to 1853. In 1865 he was again sent to Congress, and he died in 1867.

William B. Campbell

In the Mexican War Campbell's regiment was called the "Bloody First." At the storming of Monterey, instead of ordering his regiment to charge, Campbell shouted to his soldiers, "Boys, follow me." The Whigs made this expression their campaign cry in the canvass of 1851. This canvass, however, was conducted by Trousdale and Campbell in a manner that was very different from many others. Both were great men; they were fellow-soldiers and gentlemen. In debate they are said to have been as courteous to each other as if they had been speaking in a parlor, with ladies for an audience.

William B. Campbell was the last Whig Governor of Tennessee, and the third native of the state to hold its highest office. The presidential campaign of 1852 was almost as exciting in Tennessee as those that had preceded it. The Whigs carried the state for their candidate, General Winfield Scott, but the Democratic candidate, Franklin Pierce, was elected. This was the last election the Whigs ever carried in the state.

WHAT HAVE WE LEARNED?

1. Elections in Tennessee from 1840 to 1860.
2. The strength of the two political parties.
3. Sketch of Aaron V. Brown.
4. Sketch of Ephraim H. Foster.
5. Objections to the admission of Texas.
6. Position of President Polk and a majority of the people.
7. The disputed territory.
8. How the Mexican War began.
9. Response in Tennessee to the call for soldiers.
10. Famous Tennesseeans in the Mexican War.
11. Sketch of David Crockett.
12. Territory added to the United States.
13. Period of Governor Aaron V. Brown's administration.
14. Charges against the Democratic party in 1847. Result.
15. Sketch of Neill S. Brown.
16. Most important state feature of Neill Brown's administration.
17. The presidential campaign of 1848.
18. Sketch of William Trousdale.
19. The "Southern Convention."
20. Opinions of Whigs and Democrats.
21. Effect on state election of 1851.
22. Sketch of William B. Campbell.
23. Canvass between Trousdale and Campbell.
24. The last struggle of the Whigs in Tennessee.

CHAPTER XXV

JOHNSON AND HARRIS, 1853–1861

ANDREW JOHNSON was Governor of Tennessee from 1853 to 1857. In 1853 he defeated Gustavus A. Henry, a native of Kentucky, born in 1804, and educated at Transylvania University. Henry came to Clarksville, Tennessee, in 1833. He was once a member of the legislature, and a presidential elector in every election from 1840 to 1852. When Tennessee seceded, he was elected to the Confederate Senate. He died at his home in Clarksville in 1880. He was a remarkably handsome, graceful, and accomplished man, and was called the "Eagle Orator." This title was a distinguished honor for one in the midst of that proud array of great and brilliant men who thronged the public arena of that time.

In 1855 Andrew Johnson defeated Meredith P. Gentry. Gentry was born in North Carolina in 1809, and came to Williamson County in 1813. From 1835 to 1839 he was a member of the legislature. He was a Whig member of Congress from 1839 to 1853, and his speeches there gave him a national reputation as an orator and a statesman. His most famous speeches were one on a bill to prevent Federal interference in local elections, and one against General Winfield Scott as a candidate for President. He was winning in manner, strong in debate, a silver-tongued orator, — great in the midst of great men. He was opposed to secession, but followed the fortunes of his state and was

a member of the Confederate Congress. He died at Nashville in 1866.

Andrew Johnson was born in Raleigh, North Carolina, December 29, 1808. When ten years old he was "bound" to a tailor to learn his trade. His apprenticeship lasted seven years, and, with great labor and difficulty, he learned to read after working hours. He never went to school a day in his life. In 1826 he went to Greeneville, Tennessee, and began business as a tailor in his own shop. Here he married, and his wife taught him writing, arithmetic, and other simple elements of an education. After this his great learning was acquired by his own efforts.

Andrew Johnson

His first office was that of alderman of Greeneville, then he was made mayor, and then elected to the legislature, where he was one of "the immortal thirteen." In 1843 he was sent to Congress, where he remained, by reëlections, until 1853, when he was elected governor. After being governor four years he was elected to the United States Senate, where he remained until the Civil War. He took the strongest possible ground against secession, or any form of disunion. In 1862 he was appointed Military Governor of Tennessee. In 1864 he was elected Vice President by the Republicans, and in 1865, by the death of President Lincoln, he became the seventeenth President of the United States.

As Johnson was a Democrat, he and the Republican Congress could not agree about the "Reconstruction Policy."

Congress impeached him and tried to turn him out of office, but failed. His long trial is one of the most dramatic chapters in the history of the United States.

On March 4, 1875, he again entered the United States Senate, but died at Carters Station, Tennessee, on the last day of the following July. His body was wrapped in the American flag and buried at Greeneville. In the same cemetery are buried his wife, three sons, and two daughters.

Andrew Johnson was one of the greatest men of the state, or of the nation. He would have been great in any age or any land, in spite of many characteristics that were anything but great. Having risen from poverty and obscurity, he hated aristocracy and oppression; but when in power himself he was one of the most arbitrary and masterful of men. He possessed the great mind and broad views of a sagacious statesman, and a patriotism that would have dared the stake or the gibbet; but some of his acts seem to have been influenced by petty spites and bitter prejudices. While one of the most courageous, independent, and original of men in declaring his convictions and policy on public questions, he sometimes descended to the tricks of a politician.

Some of his public utterances contain the strong, dignified, far-sighted views of a sage and patriot, and are among the valuable state papers of the nation; others are filled with violent personalities unbecoming the dignity of a public station.

Perhaps we are too near him in time to do the memory of this great man justice. As we are able to see his career to-day, it looms up a giant pillar of cloud and fire that towers in splendor through obscuring mists of partisan bitterness.

Before the administration of Governor Johnson the State Library was composed almost entirely of court reports, Congressional documents, and a few other books of a purely public nature. In 1854 the legislature gave $5000 to buy books for the library, and appointed R. J. Meigs to attend to the purchase. Mr. Meigs was soon after this made librarian and given a regular salary. Additions have been made, from time to time, until there is now in the Capitol a large library containing thousands of valuable books, papers, and pictures. This collection belongs to the people of Tennessee. If you go to the State Library, you will find there a polite librarian who will get for you almost any book you may call for, and you may read it in the room, but no one is allowed to carry the books away from the library.

The Tennessee Historical Society was permanently organized at Nashville in 1857, though it had been in existence a number of years before this date. This is a voluntary association of people for the purpose of collecting and preserving whatever is rare and valuable in history. They have books made hundreds of years ago, Indian relics of many strange kinds, letters written by James Robertson and other famous men, the sword of John Sevier, the sash worn by Colonel Ferguson when he was killed at Kings Mountain, mummies from Egypt, coins that may have been carried in the purses of Roman emperors, Confederate money, state banknotes, postage stamps, old newspapers and magazines, quaint specimens of furniture and tableware, and hundreds of other rare and curious things. If you visit this institution, the custodian will politely show you all of these curiosities, but you must keep your hands off everything.

In 1853 the legislature appropriated $30,000 to establish

agricultural and mechanical fairs. At these fairs the farmers showed their fine horses, sheep, and cattle; their huge pumpkins, turnips, and ears of corn; their fat chickens, turkeys, and geese; and ever so many more things, to let the world know what fine farm products Tennessee could furnish for market. The mechanics showed their nice buggies, wagons, and plows; their barrels, jugs, and churns; their furniture, shoes, and clothing; and many other articles, to show the world what fine work Tennessee mechanics could do.

For a time these fairs were very popular, and the State Fair at Nashville was once attended by thirty thousand people. In a few years the interest in them became so small that the legislature abolished the State Fair and stopped helping the county fairs. In their stead was established the "Bureau of Agriculture, Statistics, and Mines," which is in charge of a commissioner who gathers and distributes information on industrial subjects.

Now let us review a little. In the administrations of Governor Carroll we find imprisonment for debt, the stocks, and the whipping post abolished. This shows that the people were becoming more humane. In the administrations of Governor Jones we find schools established for the blind and the deaf. This shows that the people were becoming more kind and charitable in feeling. In the administrations of Governor Johnson and Governor Harris we see the rise and growth of the State Library, the Historical Society, colleges and schools of many grades, and a state department of industries. This shows the advance in learning and intellectual life. The days of struggle for the necessities of physical life had passed away, and the administrations of Johnson and Harris may be called the era of wealth and culture, and of the develop-

ment of a distinctly southern spirit among the people of Tennessee.

The period of Johnson and Harris was a time of great political excitement and change. The Whig party was dying, the abolition party was growing rapidly in the North, and in the South the Democrats were sweeping everything before them. In 1856 Tennessee gave her electoral votes to James Buchanan for President. This was the first time that the state had voted for a Democratic candidate for President since the election of Andrew Jackson in 1832.

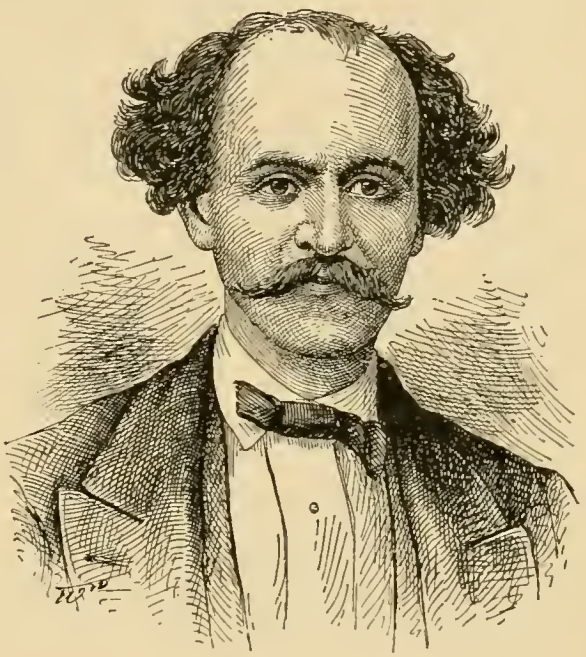
In 1857 Isham G. Harris was elected governor, defeating Robert Hatton. In 1859 he was again elected, defeating John Netherland. In 1861 he was reëlected, having practically no opposition. He was the fourth governor born and reared in the state, and the first from West Tennessee.

Robert Hatton was born in Sumner County, Tennessee, in 1827. He was an educated, accomplished young lawyer when nominated for governor in 1857. He had been a member of the legislature and a candidate for presidential elector. After his defeat for governor he was sent to Congress, where he served until near the beginning of the Civil War. He was made a brigadier general in the Confederate Army and was killed at the battle of Fair Oaks, in Virginia, in 1862.

John Netherland was born in Virginia in 1805, and came to Tennessee in 1814. He became one of the brilliant orators and popular public men of his day. He was three times a Whig member of the legislature and twice a presidential elector. He opposed secession, but took no part in the war that followed. After the Civil War President Johnson appointed him minister to Brazil, but he declined

the appointment. His last service to the state was in the convention that formed the constitution of 1870. He died at Rogersville in 1887.

Isham Greene Harris was born at Tullahoma, Tennessee, February 10, 1818. He moved to Paris in 1838, studied law, and began practice in 1841. He was a member of the legislature in 1847, a candidate for presidential elector in 1848, and member of Congress from 1849 to 1853. He opened a law office in Memphis in 1853, and was chosen a presidential elector in 1856. He was elected Governor of Tennessee in 1857, 1859, and 1861. After the election of Lincoln he became a strong advocate of secession, and in 1861 issued the proclamation declaring Tennessee out of the American Union. During the greater part of the Civil War he served as a volunteer aid to the Confederate commanders. At the close of the war he went to Mexico, but returned to Memphis in 1867. In 1876 he was elected United States senator, and was continued in office until his death, which occurred at Washington city in July, 1897.



Isham G. Harris

Among the great men of Tennessee, Governor Harris takes very high rank. He was firm, fearless, and rigidly honest in the face of appalling dangers and strong temptations. His public career covers a period of fifty years, and the greater part of that time was the stormiest in political tumult and the bloodiest in war that the nation

has ever known. Through every conflict, whether in Congress, in the governor's chair, or on the field of battle, Governor Harris bore himself as a leader of men, and a public servant worthy of confidence and respect. He had faults, and in his long public career made some bitter enemies; but none ever questioned the sincerity of his professions or the integrity of his conduct.

The most prominent feature of the administrations of Governor Harris was the intense political excitement that centered in the presidential contest of 1860, which resulted in the election of Abraham Lincoln and the secession of the southern states. Harris's last election as governor occurred when secession was an accomplished fact, and when, from the Great Lakes to the Gulf of Mexico, the blast of the bugle and the roll of the drum was marshaling nearly three millions of men to the fiercest struggle, the bloodiest war of the nineteenth century.

WHAT HAVE WE LEARNED?

1. Subject and date of Chapter XXV.
2. Gustavus A. Henry.
3. Meredith P. Gentry.
4. The youth of Andrew Johnson.
5. His education.
6. His public life before he became President.
7. Troubles with Congress.
8. His last public service and death.
9. His character as a great man.
10. The State Library.
11. The Tennessee Historical Society.
12. State and county fairs.
13. Department of Agriculture.
14. Evidences of progress in the time of Governor Carroll.
15. In the time of Governor Jones.
16. In the time of Governors Johnson and Harris.

17. Political changes occurring in the Johnson-Harris time.
18. Presidential vote of Tennessee in 1856.
19. Governor of Tennessee from 1857 to 1861.
20. Robert Hatton.
21. John Netherland.
22. Isham G. Harris before he became governor.
23. His term as governor, and most important official act.
24. His career after the Civil War.
25. His character as a public man.
26. Presidential election of 1860 and result.
27. Conditions when Harris was last elected governor.

Period IV. 1861–1865

THE CIVIL WAR

CHAPTER XXVI

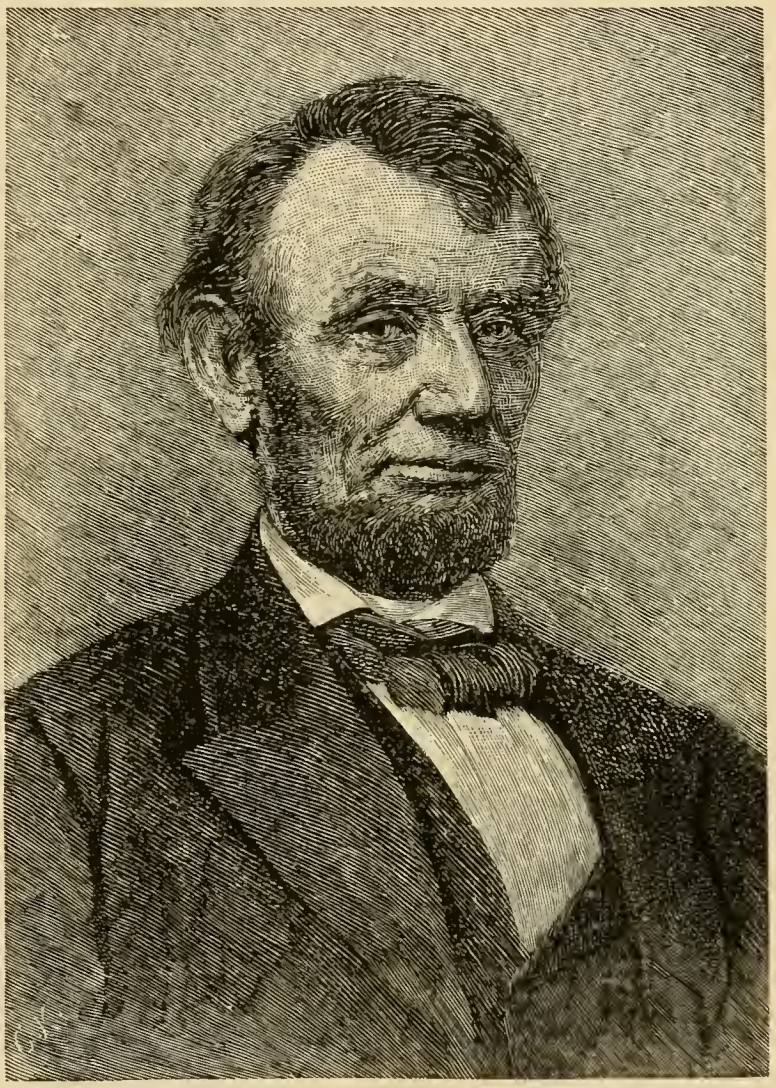
NULLIFICATION AND SECESSION

You have already been told that when the American Union of States was formed there sprang up two political parties, the Federalists or centralizing party, and the Anti-Federalists (Democratic Republicans) or state's rights party. The Federalists thought that the general or federal government should be supreme in all things. The Anti-Federalist thought that a state should be supreme, within its own limits, on all affairs that did not involve the rights of other states or nations.

This definition does not mark any details, but gives broad or general principles that have guided one or another of all the variously named political parties of our country. These two principles came into conflict on a number of public questions, but chiefly on the question of the tariff, or taxes on foreign goods imported into this country, and on the question of negro slavery. The result was to bring up the doctrines of "nullification" and "secession."

Nullification means to set aside or to make void. As used in United States government affairs it means about this: the Congress might pass a law and the President approve it; but if any state thought this law unjust or a

violation of its rights under the Federal Constitution, that state might by act of its own legislature suspend or abolish, within its own limits, the execution of the United States law. The "Virginia Resolutions," written by Madison, and the "Kentucky Resolutions" by Jefferson, declared this right in 1799.

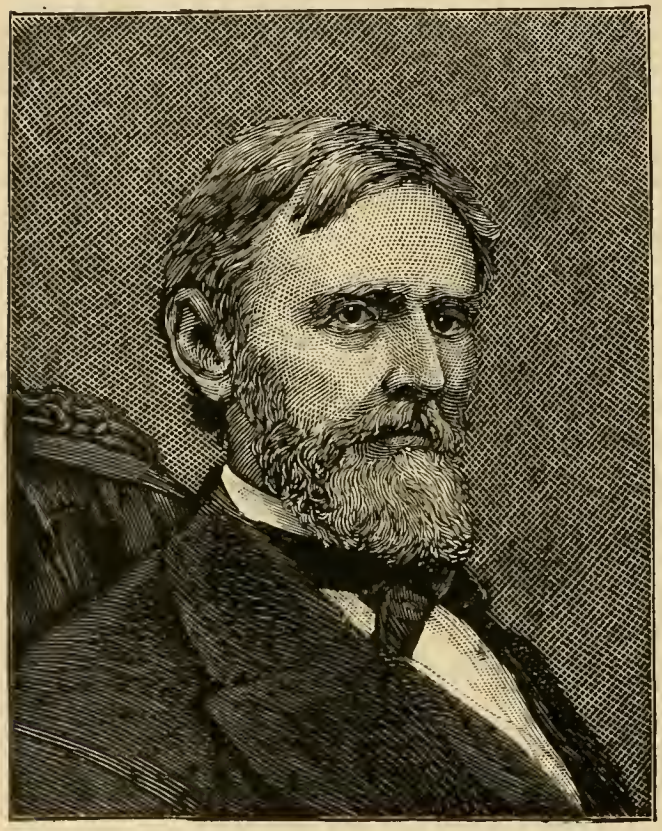


Abraham Lincoln

In 1832 South Carolina passed her celebrated "Nullification Ordinance" with reference to the tariff, and in 1833 Pennsylvania passed her famous "Personal Liberty Bill" in defiance of the decision of the Supreme Court of the United States about runaway slaves. Andrew Jackson was President when these things occurred. He appealed to the people to observe the laws of their country, and threatened to hang those who refused to do so. Compromises were made in Congress, in regard to the tariff, and the difficulties were settled for a time.

There was no more nullification in any state of the South, but after Congress passed the Fugitive Slave Law

in 1850, several states of the North enacted laws very similar to the Pennsylvania Personal Liberty Bill. That is, they practically nullified the act of Congress, though not avowing nullification as did South Carolina. The nullifiers did not advocate secession. They claimed to be Union men, but said that every state had the right, under the Constitution of the United States, to protect its own interests in the Union.



Jefferson Davis

The secessionists claimed that whenever the Federal government did anything in violation of the provisions of the Constitution of the United States, or of one of the states, any state had the right to secede or withdraw from the Union. They declared that the American Union had no powers except those given by the states, that its constitution was a compact or agreement of sovereign and independent states, and that whenever the Federal government violated the agreement, or acted in such way as to make the Union oppressive or injurious to any of its members, the states were no longer bound by the agreement.

I know that this is a difficult subject for my young friends to understand, but I have tried to make plain for you the difference between "nullification," or the setting aside of the laws of Congress by a state *in the Union*, and

"secession," or a state's going entirely *out of the Union.* I have given you the two doctrines as stated by their advocates, and have told you enough of the history of nullification. It is necessary for us next to look into the history of secession, as the use of this assumed right was the direct cause of the war between the states.

Before we begin this, however, I wish to remind the girls and boys of Tennessee that the truth in history, as in all other matters, is the only thing that is worth knowing. No difference whether it is for Tennessee or against Tennessee, whether it suits our taste or does not suit it, we should seek to know the exact truth. There are many books, especially story books and school histories of the United States, that do not give us correct ideas about nullification, negro slavery, secession, and the Civil War.

The books referred to do not state direct falsehoods, but they omit so much and cover up so much of the truth, and give the truth that they tell in such an unfair way, that they make false impressions or deceive people. Tennessee is a southern state and is not willing to be falsely accused. Most of the school histories give us the idea that slavery, nullification, secession, rebellion, and all other bad things of a social and political nature belong almost exclusively to the South. This is not the truth.

The *three* southern states of Virginia, Kentucky, and South Carolina have passed "nullification ordinances," or laws that amounted to the same thing. The *eleven* northern states of Maine, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, Ohio, Indiana, Michigan, Wisconsin, and Kansas passed state laws to punish, with severe penalties, any one who obeyed the laws of Congress with reference to fugitive slaves.

There was a time when all of the states then in exist-

ence, both north and south, allowed negro slavery, and no one seemed to think it was wrong. The first American slave ship was built at Marblehead, Massachusetts, with northern money, manned by northern seamen, and run for northern profit. The South owned slaves, and so did the North. The North brought negroes from their native home in Africa to sell them into slavery in America; the South did not, but both North and South bought them from these northern kidnappers.

In 1796 Thomas Jefferson was a candidate for President. In speaking of his probable election, Governor Wolcott of Connecticut said: "I sincerely declare that I wish the northern states would separate from the southern the moment that event shall take place." That is, a Connecticut governor wished his state to do, in 1796, precisely what South Carolina did in 1860, — secede from the Union because it was not pleased with the President elected.

Governor Plumer of New Hampshire says that the avowed purpose of many New England leaders in 1805 was to dissolve the Union, because they did not like the probable results of the purchase of Louisiana. In 1811 a bill was before Congress for the admission of the State of Louisiana into the Union. Josiah Quincy, member of Congress from Massachusetts, said: "I declare it as my deliberate opinion that, if this bill passes, the bonds of the Union are virtually dissolved; and that as it will be the right of all the states, so it will be the duty of some, to prepare definitely for a separation, amicably if they can, violently if they must." This was the first open threat of disunion that was ever made in Congress.

In 1814, while the second war with England was going on, the famous Hartford Convention met at Hartford, Connecticut. Governor Plumer says that James Hillhouse

and Roger Griswold, both members of the convention, told him that they were decidedly in favor of dissolving the Union and establishing a "Northern Confederacy."

In 1845 John Quincy Adams and a number of other northern congressmen declared that the annexation of Texas would be sufficient cause for the dissolution of the Union, and would lead to that result. The Legislature of Massachusetts approved these declarations, and passed resolutions that avowed the right of secession as a remedy for grievances.

What I have told you on these subjects, and much more of similar kind, may be found in Cooper's *American Politics*, Jameson's *Dictionary of American History*, Henry's *Voice of The People*, Fiske's *Critical Period of American History*, Hildreth's *History of the United States*, and other books of like character. I have told you these things, not because you like them or I like them, but because they are facts of history.

The people of Tennessee were neither secessionists nor nullifiers. Before 1860 it is very doubtful if there were as many as one thousand secessionists in the state, though the population at that time was more than one million. Tennessee had ever been conservative, loyal, and patriotic. She never favored any nullification or disunion schemes of either North or South. When the Civil War was forced upon the state, the people were divided in their opinions about their duty. The greater part of them followed the fortunes of the Confederacy, the smaller part adhered to the Union. Each followed his own convictions of duty. Tennessee never wished the war or helped to bring it on. Warlike as her sons had ever been, she tried to maintain peace, and took no part in the disturbances until war had actually begun.

WHAT HAVE WE LEARNED?

1. Difference between Federalists and Anti-federalists.
2. Chief questions upon which conflicts arose.
3. Explain "nullification."
4. South Carolina and Pennsylvania acts.
5. President Jackson's course.
6. Claims of the nullifiers respecting the Union.
7. Explain the doctrine of secession.
8. Valuable part of history.
9. Books that give false ideas.
10. Representations of the South.
11. Southern states and northern states that have nullified.
12. Early African slavery.
13. Part taken by the North and the South in slave trade.
14. Proposed Connecticut secession in 1796.
15. Proposed New England secession in 1805.
16. Josiah Quincy's secession threat.
17. The Hartford Convention.
18. John Q. Adams and Massachusetts on secession.
19. Tennessee on nullification and secession.
20. Division of the people of the state in Civil War.

CHAPTER XXVII

CAUSES OF THE CIVIL WAR

It is best for us now to take a brief view of the history of African slavery. This is necessary because slavery was the cause of the secession of the southern states, and secession was the direct cause of the Civil War.

When the Spaniards began colonizing the West Indies they made slaves of many of the Indians. The Indians soon died out, and then negroes were brought from Africa to fill their places. It was quickly learned that the negroes were much easier civilized and made better servants than the Indians. The West Indies were soon stocked with African slaves.

The Dutch took up the slave trade, or business of taking negroes from Africa to other countries to sell them into slavery. A slave ship would land on the coast of Africa, and the captain would show some negro chief a tempting display of red, yellow, and green cloth, some butcher knives, hatchets, and brass jewelry. The chief was a brutal savage who knew very little of the difference between right and wrong, and cared less than he knew. He wanted the gaudy things that were before his eyes, and would give fifty or a hundred of the people of his tribe for fifty dollars' worth of the slave trader's goods.

Sometimes two African tribes would go to war. The victorious tribe would sell their prisoners to the traders, who would carry them away to other lands to be sold into

slavery. Not only the Spaniards and Dutch, but nearly all the civilized nations of Europe engaged in this inhuman traffic. Many of the traders declared that it was right to take the negroes from their heathen homes to civilized

Negroes Dancing

countries where they would be taught morality and religion. The negro did get the teaching from humane masters, and if this had been the trader's purpose, his business would have been all right; but his real purpose was not to benefit the negro, but to make money for himself.

In 1619 a Dutch trader brought some Africans to Jamestown, Virginia, and sold them to the planters there.

This was the beginning of negro slavery in our country. It was soon established in all the English colonies in North America, and at that time was not considered wrong. About seventy years later the German Mennonites, a religious body then living in Pennsylvania, began to declare that they thought it wrong to buy and sell slaves. This was the first protest against slavery in America, and these people seemed to think it no wrong for persons to keep slaves they already owned.

Whitney at work on the Cotton Gin

Within the next hundred years many people, both North and South, decided that slavery itself was wrong. But that generation of people was not responsible for the beginning of slavery, and they were in some doubt as to what they ought to do. Slave labor was never as profitable in the North as in the South, therefore more people in the North were willing to free their negroes. The work of liberation went on in both sections without a halt until Whitney invented the cotton gin in 1792. The people

of the North had freed nearly all of their negroes or sold them in the South, and, after the gin was invented, they established factories to spin and weave cotton. The people of the South saw fortunes in cotton raising. They freed fewer negroes, and raised more cotton for the northern factories. The gin and the spinning frame are probably the real explanation of why slavery existed longer in the South than in the North.

The Northwest Territory was given to the Federal government chiefly by Virginia. The "Ordinance of 1787," adopted by the Continental Congress for the government of that territory, was copied chiefly from a report which Thomas Jefferson had made a few years before. Jefferson's report had proposed that slavery in all the western territory of the United States should be prohibited after the year 1800. The Ordinance of 1787 provided that slavery should never exist in the Northwest Territory. This ordinance, based as we have seen on the work of a southern statesman and slave owner, was adopted in Congress by the vote of eight states, of which four, including Virginia, were southern.

The Constitution of the United States, which went into effect in 1789, forbade Congress to stop the slave trade before 1808 (when it was stopped by act of Congress) and distinctly recognized the right of each state to act as it chose about slavery within its own limits. When Tennessee became a state in 1796 many people wished slavery prohibited after a certain number of years, but this was not put into the state constitution, and Tennessee became a slaveholding state in a union of partly free and partly slaveholding states.

The old records of the Tennessee legislature, and of the county courts, show that from the organization of the

state until 1832, the work of freeing slaves and giving them legal privileges was continually going on. Early in the history of the state these affairs occupied so much of the time of the legislature that an act was passed, in 1801, transferring nearly all such business to the county courts. There was so much of it that the legislature could not attend to it.

In 1819 or 1820 Elihu Embree began the publication of a newspaper, at Jonesboro, Tennessee, called *The Emancipator*. This was the first abolition paper ever published in the United States. The books that claim Benjamin Lundy of Ohio as the first abolition editor are wrong. Lundy did not begin his paper until 1821, and Embree died in 1820. Thus we learn that the people of Tennessee were freeing their own negroes and were advising others to do as they did. Tennessee, however, never proposed to interfere in the affairs of other states, or to attempt forcibly to free other people's negroes.

Now it may be asked why freeing the slaves was almost stopped after 1840. This was caused by a set of people who insisted that their ideas and ways were exactly right and that those of every one else were wrong. One set of these extremists, who lived in the North and owned no slaves, said that Congress and the President ought to free all the negroes right off, without any consideration of time, condition, circumstances, or consequences. Congress and the President pointed out the fact that they were all under oath to support the Constitution of the United States, and that the plan of liberation would be in violation of the Constitution they had been sworn to support and defend.

These northern people then began denouncing Congress, the President, the laws, the Constitution, the Union, the flag, and everything else that allowed or protected slavery.

They held conventions, made speeches, published newspapers, and printed books that declared that slavery was the sum of all villanies, that hell was too comfortable a place for a slaveholder, that the Constitution was a league with hell and a covenant with the devil, that the Union was an unholy alliance with evil that deserved the vengeance of High Heaven, that the laws of Congress were impious and infernal and that it would be doing God's service to violate them, that the President of the United States was a slave trader and negro driver, that the flag of the Union was a dirty rag whose stripes represented nothing but negroes' scars, and a great deal more of very ugly and very disloyal sentiments. The lovers of the Union tried very hard to silence these agitators, but could not do so.

Only a few people of the North visited the South and knew the real condition of affairs. A great many of them finally accepted as true the statements of the violent abolitionists, and gradually there grew up in the North an abolition political party. Demagogues and professional politicians then made use of the popular sentiment to get into office, and increased the excitement in order that they might stay in office. The extreme agitators circulated documents among the free negroes in the South advising them to kill the white people and free the slaves. This was begun at Southampton, Virginia, in 1831, and fifty-five persons — men, women, and children — were killed by negroes.

The people of the South became alarmed. A slaveholders' convention met in Annapolis in 1842 and decided that if free negroes were to be made dangerous by the abolitionists, freeing negroes must stop, and those already freed must be deprived of privileges and have legal restrictions put upon them. Laws were passed prohibiting

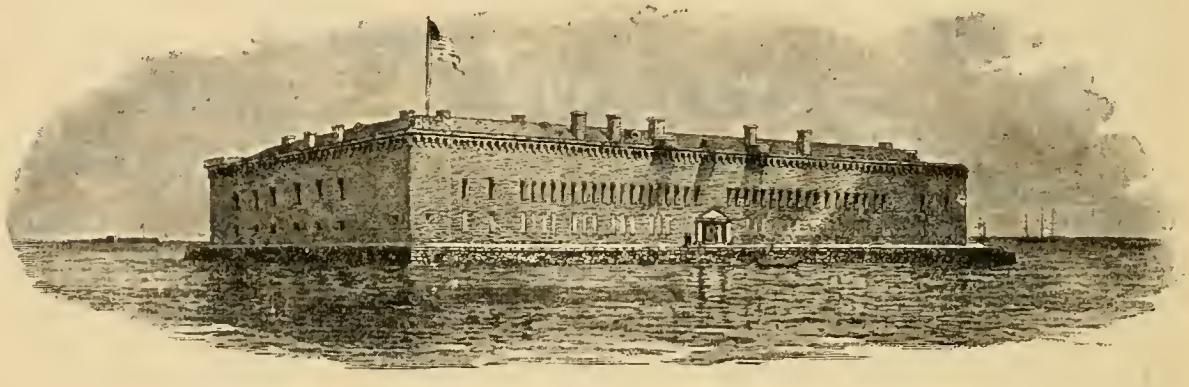
owners from freeing their slaves unless they sent them entirely out of the state. Few owners were able to set their negroes free and then pay their expenses to some other country, therefore emancipation was practically ended by the overzealous abolitionists.

While the abolitionists were preaching their doctrines on every street corner, and advising murder as a remedy for wrong, there grew up an extreme party in the South. They declared that they had, or ought to have, the right to carry their slaves into any state or territory of the Union whether the people living there wanted them or not; that negroes were created to be made slaves; that the African slave trade ought to be reopened; that the Union only protected abolition fanatics and robbed the South of her rights; that any state had a right to secede, and the Union ought to be dissolved; that they wished all the abolitionists were collected in New England, and New England were in hell, and ever so many more things that nobody ought to have said.

The extreme men met in Congress and quarreled and fought over the slavery question, until Union men in every section of the country became seriously alarmed at the turn affairs were taking. The whole question was thought to have been settled by the Missouri Compromise in 1820, but the agitators paid no attention to this. There were furious debates and threats of secession over the admission of Texas in 1845, the admission of California in 1850, the Kansas-Nebraska Bill in 1854. Then came the Dred Scott Decision in 1857 and John Brown's Raid in 1859. By this time the people of the United States were excited to a dangerous degree on the slavery question.

In 1860 there were four candidates for President: Stephen A. Douglas of Illinois and John C. Brecken-

ridge of Kentucky, both Democrats; Abraham Lincoln of Illinois, Republican; John Bell of Tennessee, Constitutional Union candidate. Tennessee voted for Bell, but Lincoln was elected. Some of the southern states decided that they would not be safe in the Union with a sectional President. South Carolina, Mississippi, Alabama, Florida, Georgia, Louisiana, and Texas seceded, and organized the Confederate States government at Montgomery, Alabama, February 4, 1861. This was exactly one month before President Lincoln went into office.



Fort Sumter

Governor Harris called an extra session of the Tennessee Legislature to meet January 7, 1861. This legislature passed a resolution asking the people to vote, on the 9th of February, for or against a convention to consider the secession of Tennessee from the Union. The people voted against the proposition, the majority being nearly four to one. When President Lincoln went into office, March 4, 1861, he declared that he had no right to interfere with slavery in the states, and no desire to do so. This made the people better pleased with their union vote in February.

April 12, 1861, the South Carolina soldiers attacked Fort Sumter, in Charleston Harbor, and forced the United States garrison to surrender the fort. Three days

later President Lincoln called for seventy-five thousand soldiers to force the seceded states back under the authority of the Union. This action meant war, and in anger and sorrow the people of Tennessee saw that they would be forced to take part in it.

President Lincoln called for soldiers from Tennessee. Governor Harris refused to send them, and said that if Tennessee must fight she would fight with the South. The legislature was called together April 25, passed an ordinance of secession May 1, and submitted it to a vote of the people June 8. So great had been the change of opinion that at this election the majority in favor of secession was more than two to one. This settled the question, and July 2, Tennessee joined the Confederacy. She was the last state to secede, and had clung to the Union as long as there was any hope of peace. A majority of the people of East Tennessee adhered to the Union to the last, and petitioned the legislature to allow them to form a separate state. The request was refused.

For the Civil War the Federals enlisted 2,778,304 men; the Confederates enlisted about 600,000 men. Tennessee furnished 30,000 soldiers for the Federal Army, and 100,000 for the Confederate Army. This was nearly one ninth of the whole population of the state. True to the heroic traditions of their ancestors, the Tennesseeans bore themselves throughout the war as among the best and bravest in that long and bloody struggle.

WHAT HAVE WE LEARNED?

1. Direct cause of the Civil War.
2. Slavery in the West India Islands.
3. Dutch slave traders.
4. Two ways of obtaining negroes in Africa.

5. Nations engaged in the slave trade.
6. Moral benefits in the slave trade.
7. What makes the difference between moral good and evil in an action?
8. Introduction of slavery into the English colonies of America.
9. First protest against slavery in America.
10. Opinions on slavery about 1760.
11. More freeing of slaves in the North than in the South.
12. Effect of the cotton gin and spinning frame.
13. The Ordinance of 1787.
14. Provisions about slavery in the Constitution of the United States.
15. Tennessee's position in the American Union.
16. The old records of the legislature and the county courts.
17. The act of 1801.
18. The first abolition paper in the United States.
19. Principles and actions of the people in Tennessee about slavery.
20. What caused the suspension of freeing the negroes?
21. Demands on the President and Congress. Reply.
22. Abuse from the extreme abolitionists.
23. Efforts of the lovers of the Union.
24. Growth of abolition political party.
25. The Southampton affair.
26. The slaveholders' convention.
27. Laws passed in some states of the South.
28. The extreme agitators in the South.
29. The sectional quarrel in Congress.
30. On Missouri Compromise. Annexation of Texas, &c., consult a history of the United States, and get explanations from your teacher.
31. The election of President in 1860.
32. Action of certain southern states.
33. Extra session of the Tennessee Legislature, January 7, 1861.
34. What did the vote of February 9 show?
35. President Lincoln's declaration about slavery.
36. The attack on Fort Sumter and its result.
37. Governor Harris's reply to President Lincoln's call for troops.
38. Extra session of the Tennessee Legislature, April 25, 1861.
39. What did the vote of June 8 show?
40. Action of East Tennessee.
41. Federal and Confederate armies.
42. Tennessee's troops in each army.

CHAPTER XXVIII

THE BATTLE GROUND

From May, 1861, to May, 1865, little was done, talked of, or thought of in Tennessee except war. Early in 1861 every county seat became a military camp. The lawyers and doctors left their offices, the merchants and mechanics left their stores and shops, the farmers and laborers left the fields, the young men left the colleges, — all that were fit for military service joined the army. Guns, pistols, and swords of all kinds were brought out and furbished up for use. Lead mines and saltpeter mines were opened and worked. Mechanics who had enlisted in the army were detailed to make more weapons. Everywhere resounded the preparations for a fierce and bloody war.

Federal Soldier

Confederate Soldier

Major General Gideon J. Pillow was appointed commander of the army of the state, with headquarters at Memphis. Brigadier General B. F. Cheatham was put in command of the Department of West Tennessee, with headquarters at Union City; Major General S. R. Anderson in command of the Department of Middle Tennessee, with headquarters at Nashville; Brigadier General W. R. Caswell in command of the Department of East Tennessee, with headquarters at Knoxville. This arrangement continued until the troops were organized and transferred to the Confederate service. President Davis of the Confederacy then appointed General Leonidas Polk to command in Tennessee, and General Pillow was given command of a division in the Confederate Army.

About the middle of September, 1861, General Albert Sidney Johnston was placed in command of the Western Department. He arranged a line of defenses to keep the Federal troops out of Tennessee.

1. General Felix K. Zollicoffer was sent to Cumberland Gap and fortified a camp on Fishing Creek.

2. General William J. Hardee occupied Bowling Green, Kentucky, where General Johnston made his headquarters.

3. General Simon B. Buckner was sent from Bowling Green to Fort Donelson on the Cumberland River, near Dover, and a strong fort was built there.

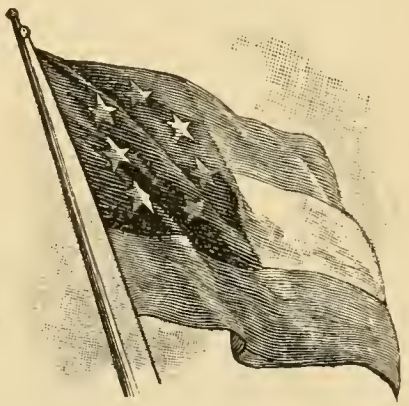
4. Fort Henry was hurriedly and imperfectly constructed on the Tennessee, about eleven or twelve miles from Fort Donelson, and placed under command of General Lloyd Tilghman.

5. Columbus, Kentucky, was seized and strongly fortified by General Polk to guard the Mississippi River.

6. As an additional protection for the Mississippi, Fort

Pillow was built at Randolph, and Island No. 10 was fortified and garrisoned by General Mackall. The islands in the Mississippi River are numbered from the mouth of the Ohio southward, and Number 10 is near the town of New Madrid, Missouri.

There were some changes of commanders at these places, but very early in the war this was the arrangement. These forts and camps formed a long line extending from Cumberland Gap to the Mississippi River at Columbus, and down that river nearly to Memphis. There were not men enough nor cannon enough at any of these places to hold them against a strong force. Many of the soldiers were very poorly armed, and the posts, except Fort Donelson and Fort Henry, were too far apart to help one another.



Confederate Flag

The Federal forces were gathered at Cairo, Illinois, and at Louisville, Kentucky, and prepared to break through the Confederate line. November 7, 1861, General Grant of the Federal Army tried to capture a part of General Polk's forces, which had crossed the river from Columbus to Belmont. Grant was defeated and went back to Cairo. January 19, 1862, General Thomas of the Federal Army defeated General Zollicoffer's army at Mill Springs, near Cumberland Gap. Zollicoffer was killed, and Cumberland Gap was lost. February 6, Fort Henry was easily taken. February 16, after five days' hard fighting, Fort Donelson was surrendered to General Grant with fifteen thousand Confederate soldiers.

General Johnston withdrew his forces from Bowling Green and Columbus to Corinth, Mississippi, and collected

some small commands from other places. Nearly all of Tennessee was at once occupied by Federal soldiers. General Grant moved his forces up the Tennessee River to Pittsburg Landing, on the west side of the river, a short distance above Savannah, and waited for General Buel's force from Nashville to join him. April 6, 1862, Johnston attacked him in his camp and routed his army. Johnston was killed in the afternoon, and his successor, Beauregard, stopped the battle. That night Buel arrived, and next day Beauregard's army was driven back to Corinth.

This was one of the great battles fought on Tennessee soil, and is called the battle of Shiloh because it was fought around Shiloh church. Island No. 10 was captured April 8, Fort Pillow was abandoned June 1, and a week later the Confederate gunboats at Memphis were destroyed by the Federal fleet, and the city surrendered. The whole of the original line of Confederate defenses had been wiped out, and the Federal Army was in possession of all of Tennessee except the southeastern part.

After March 5, 1862, Andrew Johnson was no longer a United States senator. President Lincoln appointed him Military Governor of Tennessee. He came to Nashville and tried to get the people of the state to come back under the authority of the Union. Very few of them would have anything to do with his plans, and about all that he accomplished had to be done by force. This really served no good purpose at all.

In the summer of 1862 General Beauregard was removed from the command of the Western Confederate Army, and General Braxton Bragg took command. He moved the army from Mississippi to Chattanooga and marched into Kentucky. He captured Cumberland Gap, defeated the Federal Army at Richmond, Kentucky, loaded a train of

wagons nearly thirty miles long with provisions and army supplies captured from the Federals, and fought a battle at Perryville, Kentucky, in which he was worsted, but which saved his wagon train. He then retreated into Tennessee and established winter quarters at Murfreesboro.

Here, December 31, 1862, and January 2, 1863, another great battle was fought. The Confederates won the first day, the Federals the second. Neither seemed to have gained anything. The Confederates went leisurely to Shelbyville; the Federals remained where they were.

Lookout Mountain (as seen from Chattanooga)

In June the Federals moved out to attack Bragg. He slowly retreated to Chattanooga. September 19 and 20 1863, a desperate battle was fought along Chickamauga Creek. The Federals were defeated and driven back into Chattanooga. Bragg occupied Missionary Ridge and Lookout Mountain, and was about to starve the Federals into surrender when Grant came to their relief with reënforcements.

October 25, General Grant drove Bragg from the Mountain and the Ridge after two bloody battles. The Confederate Army retreated to Dalton, Georgia; the Federals remained at Chattanooga until the next spring. The armies of Burnside and Longstreet fought two hard battles at Knoxville, November 28 and 29, 1863, in which the Federals were successful in holding the city against the Confederate attack.

After many battles and skirmishes in Georgia, during the spring and summer of 1864, General Hood was put in command of the Confederate Army. He marched the army back into Tennessee, and November 30 fought the desperate battle of Franklin. The Federals were defeated and retreated to Nashville, but the victory had been won at terrible cost. In proportion to the number engaged, more men were killed in this battle than in any other fought in the state.

Hood followed the Federals to Nashville, and December 15 and 16, 1864, the battle of Nashville was fought. The first day the Confederates held their own, the next day they were totally defeated. This was the last great battle fought in the state.

The thirteen battles that have been mentioned were only the great contests in which large armies were engaged; there were other smaller battles fought within or near the borders of our state, and many of them were of great importance in prolonging or deciding the war. The State of Tennessee was really a battle ground from 1861 to 1865. On April 9, 1865, General Lee surrendered in Virginia, and the long Civil War was ended. The Confederate Army had been literally worn out by the superior power of the Union in men, money, and war supplies of every kind.

WHAT HAVE WE LEARNED?

1. Forming an army in Tennessee in 1861.
2. Arming the soldiers.
3. State commanders.
4. Transfer to Confederate service.
5. The line of defenses.
6. The islands in the Mississippi.
7. Weakness of the line of defenses.
8. Battle of Belmont.
9. Mill Springs, and results.
10. Capture of Fort Henry and Fort Donelson. Result.
11. Next move of General Johnston and of General Grant.
12. Battle of Shiloh.
13. Island No. 10, Fort Pillow, and Memphis.
14. Andrew Johnson as military governor.
15. Bragg's expedition into Kentucky.
16. Battle of Murfreesboro.
17. Battle of Chickamauga.
18. Condition and rescue of the Federal army.
19. Battles of Missionary Ridge and of Lookout Mountain.
20. Campaign in Georgia and new Confederate commander.
21. The battle of Franklin.
22. The last great battle in the state.
23. The minor engagements.
24. The end of the fighting.

CHAPTER XXIX

FAMOUS TENNESSEEANS

In this chapter will be given brief sketches of persons who became famous in adventure, war, politics, or any other walk of life, but whose names do not appear in the official list of the state's distinguished people.

"Filibusters" is a name applied to citizens of a country who try to interfere by force of arms in the affairs of another country that is on friendly terms with their own government. The name is Spanish, and in the sixteenth century meant the pirates or sea robbers of the Gulf of Mexico and the Caribbean Sea.

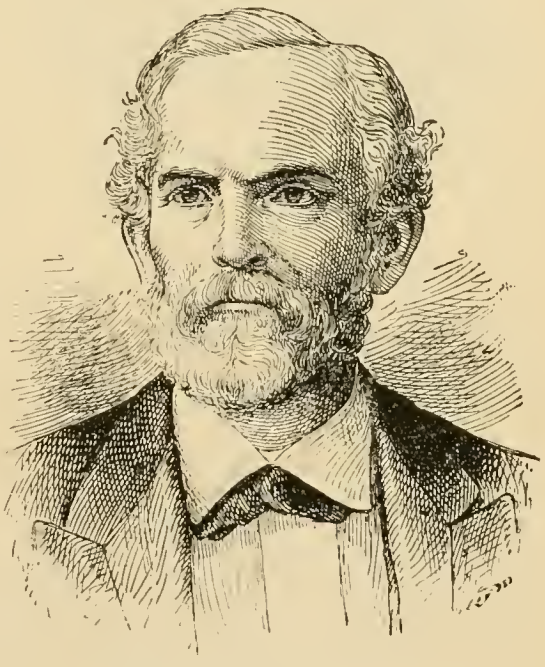
William Walker

The most famous filibuster of the United States was a Tennesseean, — William Walker. He was born in Nashville in 1824. He studied law, then medicine, then edited a newspaper in New Orleans and afterward in San Francisco. He then practiced law for a while in California, but it was too quiet and tame a business to suit his taste. In 1853 he organized an expedition against Sonora, Mexico, but failed and surrendered to the United States officers at San Diego. Nothing could be proved

against him, and he was released. Two years later he invaded Nicaragua, conquered the country, and had himself elected president. In a short time he was driven out by an insurrection and returned to the United States. In 1857 and in 1858 he tried to go back to Nicaragua, but was prevented by United States officials. In 1860 he went with an armed expedition against Honduras, but was captured and, by order of the president of that state, was shot.

As lawyer, doctor, editor, soldier, diplomat, and adventurer William Walker was one of the most remarkable men the state has produced. His career is not worthy of imitation, but it shows wonderful courage and great versatility of talent.

Gideon Johnson Pillow was born in Williamson County, Tennessee, in 1806. He was educated at the University of Nashville, studied law, and began practice at Columbia. He was one of the delegates to the Democratic convention that nominated James K. Polk for President in 1844. In 1846 he was appointed brigadier general of volunteers to serve in the Mexican War. For gallant service he was promoted to the rank of major general in 1847, and was severely wounded at Chapultepec. At the close of the Mexican War he resumed the practice of law at Columbia. In 1852 he received twenty-five votes in the Democratic convention for the nomination to the office of Vice President. When the Civil War began he entered the Confed-



Gideon Johnson Pillow

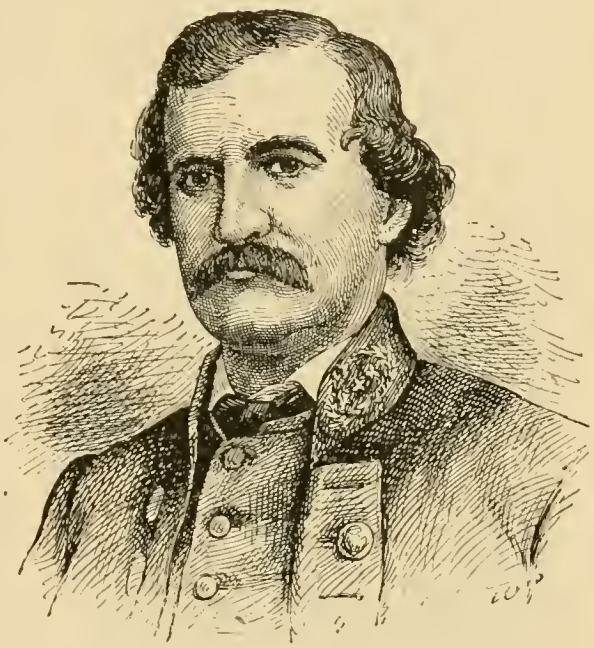
erate Army and was made a brigadier general and served in the Western Department. After the close of the war he practiced law in Memphis and managed an extensive cotton plantation in Arkansas. He died in 1878.

Leonidas Polk was born in Raleigh, North Carolina, in 1804. He was educated at the United States Military Academy at West Point, graduating in 1827. He resigned his commission in the army, studied for holy orders, and was ordained a minister in the Episcopal Church in 1831. After a short period of service in Richmond, Virginia, he traveled abroad and then moved to Columbia, Tennessee. In 1838 he was made a bishop. Three years later he moved to Louisiana, and in 1856 began the greatest work of his life by giving his active aid in founding the University of the South at Sewanee, Tennessee. His name will be associated with this great school when all his other services are forgotten.

Leonidas Polk

When the Civil War began, Bishop Polk was made a major general in the Confederate Army. In 1862 he was promoted to be lieutenant general. He is said to have disobeyed orders at the battle of Chickamauga and was therefore relieved from command and transferred to another department. After some distinguished services in his new field he was restored to his old command, and took part in the campaign between Chattanooga and Atlanta. In June, 1864, he was killed by a cannon shot while inspecting a fort near Marietta, Georgia.

Benjamin Franklin Cheatham was born at Nashville in 1820. At twenty-six years of age he entered the army for service in the Mexican War. As captain and colonel he won fame in this war and at its close was appointed major general of Tennessee volunteers. In 1849 he went with the great throng of fortune hunters to the gold fields of California, but soon returned to Tennessee. At the beginning of the Civil War he was made a brigadier general in the Confederate Army and served with distinguished honor throughout the war, rising to the rank of major general. He was a stern, hard fighter, but a kind man, much beloved by his soldiers, who affectionately called him "Old Frank." Of course they never used this title in speaking to their general, but around their camp fires they rarely gave him any other. It is a custom among soldiers to nickname the commanders they love.



Benjamin Franklin Cheatham

After the Civil War General Cheatham returned to Nashville. When General Grant became President he offered General Cheatham an appointment in the civil service of the United States, but Cheatham did not accept it. The two men were warm personal friends, though they had taken opposite sides in the war. In 1872 General Cheatham, Andrew Johnson, and Horace Maynard were candidates for congressman at large. That is, Tennessee was entitled to one more representative in Congress

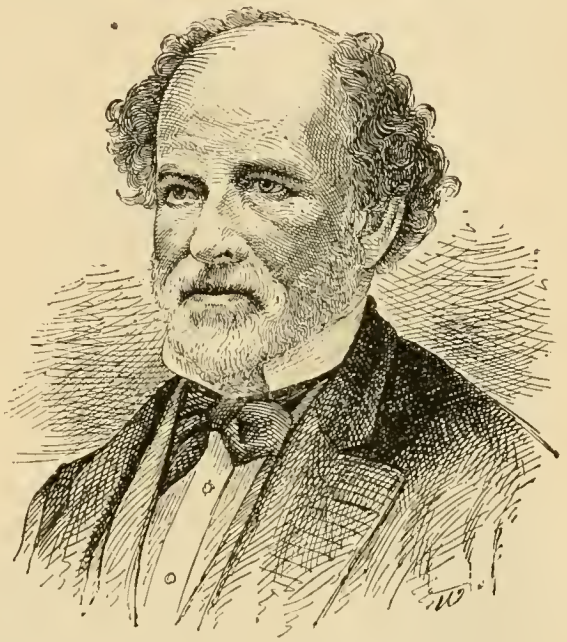
than there were districts in the state, so one representative had to be elected by the votes of all the people of the state. Maynard was elected. In 1875 Cheatham was made Superintendent of State Prisons, and held the position for four years. In 1885 he was appointed postmaster at Nashville, but died in September, 1886.

Nathan Bedford Forrest was born in Bedford County, Tennessee, in 1821. Of his youth we know very little. In 1842 he moved to Hernando, Mississippi, and became a cotton planter. Ten years afterward he was living in Memphis. In 1861 he joined the Confederate Army, and served throughout the war, rising steadily in rank until he became a lieutenant general. He was a military genius, and perhaps the greatest soldier that Tennessee has ever produced. Without military education or training he became one of the greatest commanders of the war. He never lost a battle that he had planned himself, and never allowed his army to be surprised and forced to fight at disadvantage. He failed a few times under orders of other commanders. The story of all his daring and brilliant feats would be as thrilling as the wildest tales of the Scottish border.

Nathan Bedford Forrest

After the Civil War General Forrest devoted himself to business in Memphis, and became president of the Memphis and Selma Railroad. He died in October, 1877.

Matthew Fontaine Maury was born in Virginia in 1806, but was reared and educated in Tennessee. In 1825 he entered the United States navy. While other young officers were frolicking, Maury would be drawing chalk figures on cannon balls to help him in learning the problems of navigation. In 1827 he made a cruise around the world, and gained a personal knowledge of countries and people that afterward made his geographies such charming books. In 1831 he was made commander of the ship *Falmouth*, and ordered to the Pacific Ocean. In 1834 he published his book on navigation, which was made the text for study at the Naval Academy. In 1837 he had a fall which broke his right leg at the knee, and made him a cripple for life. After this accident he was assigned to shore duty at Washington.

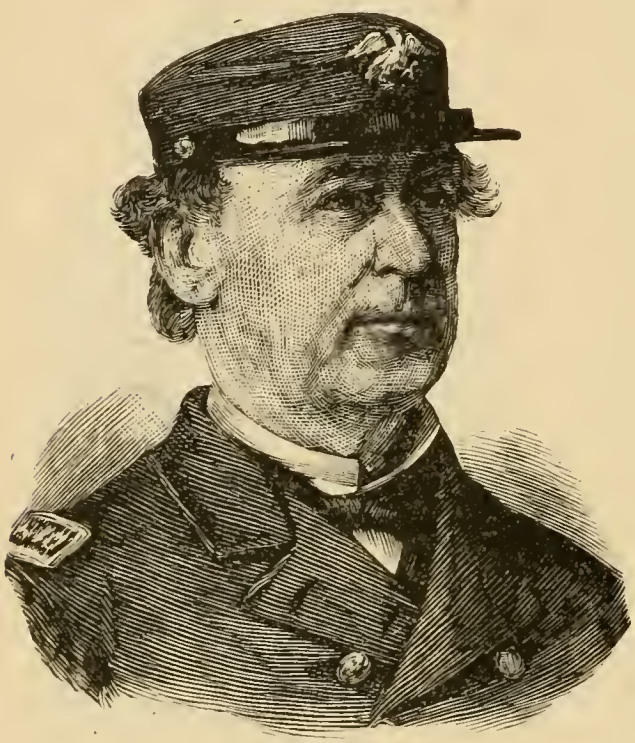


Matthew Fontaine Maury

Maury made important reforms in the navy, established the National Observatory, directed the soundings of the sea that resulted in the laying of ocean cables, or submarine telegraph lines, started the signal service and weather bureau, wrote a physical geography of the sea, and a series of geographies for use in schools. He has added more to our scientific knowledge of the sea and the winds than any other man that has ever lived. When the Civil War began he took part with the Confederacy. He died in 1877.

David Glascoe Farragut was born in Knox County, Tennessee, in 1801. When nine years old he was put into the

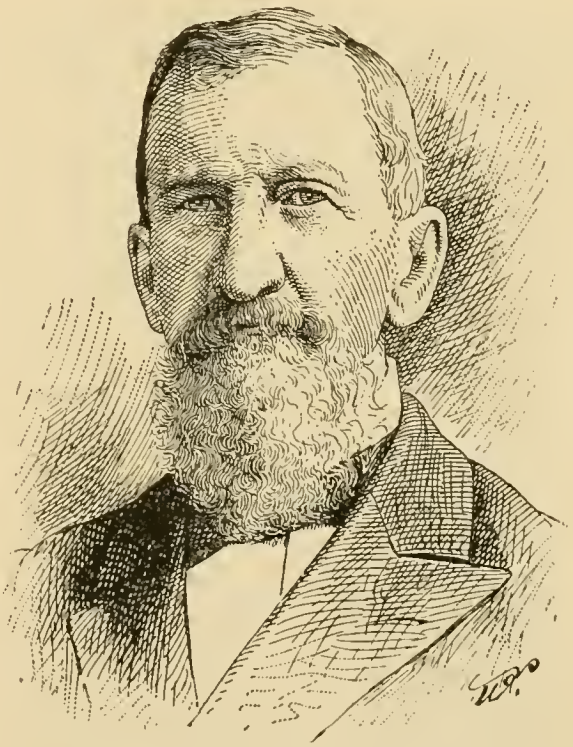
United States Navy to be trained for a naval officer. Like Maury, he attended to his business, — studied and worked well. As a boy he took part in the war with England in 1812, and afterward, as he rose in rank, saw much service at many naval stations at home and abroad. In 1861 he adhered to the Union, and was sent to the Gulf of Mexico to assist in the blockade of the southern ports. He soon showed himself to be the ablest officer in the navy. In April, 1862, he went up the Mississippi River and captured New Orleans, though it was well defended by forts, gunboats, and floating batteries. In 1864 he fought the fiercest naval battle of the war except one, and captured the city of Mobile. In recognition of distinguished services Congress created for him the special rank of vice admiral. Only the most prominent of his actions have been mentioned. He is considered the greatest of all the American commanders of his time on the ocean. He died in 1870.



David Glascoe Farragut

Alexander P. Stewart was born in Rogersville, Tennessee, October 2, 1821. In his early boyhood his parents moved to Winchester, Tennessee, whence he was sent in 1838 to be educated in the United States Military Academy at West Point. From this school he graduated in 1842, in the same class with General W. S. Rosecrans, General

John Pope, and General John Newton of the Federal Army, and General Gustavus W. Smith and General James Longstreet of the Confederate Army. After graduating he served one year in the artillery, and was then sent to West Point as a teacher of mathematics. After teaching two years in the Military Academy he resigned from the army and accepted a professorship in Cumberland University. Later he became a member of the faculty of the University of Nashville, and occupied this position until the beginning of the Civil War. He entered the Confederate Army as Major of Artillery and rose steadily to the rank of Lieutenant General, the highest except one in the service.



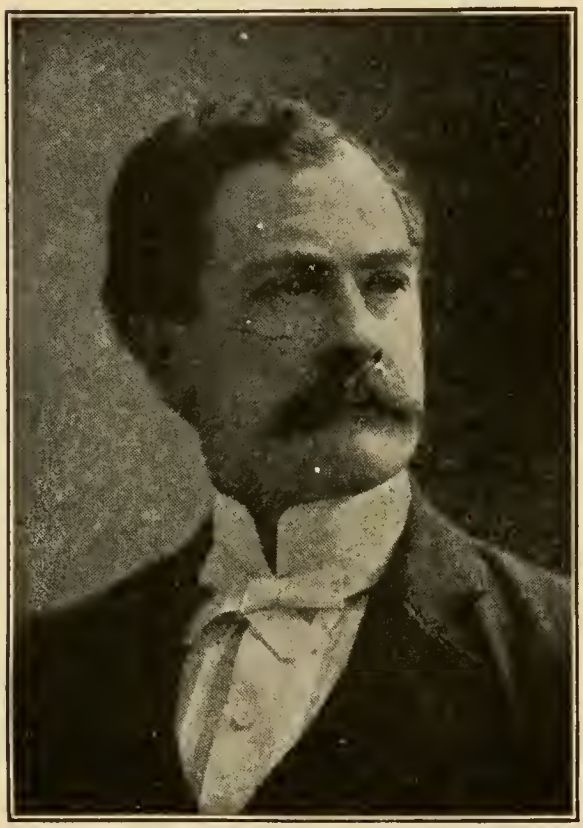
General Alex. P. Stewart

At the close of the war General Stewart returned to Lebanon and again became a professor in Cumberland University. In 1874 he was elected President of the University of Mississippi at Oxford, where he remained for twelve years. In 1890 the United States Congress passed an act to make a National Military Park of the battle fields around Chattanooga and at Chickamauga. General Stewart was appointed one of the commissioners to take charge of this work and held that position until his death in 1908.

From the battle of Belmont, Missouri, in November, 1861, to the battle at Coe's Farm, North Carolina, April, 1865, General Stewart took part in all the campaigns of

the Army of Tennessee. He never failed to distinguish himself as a brave, prudent, trustworthy officer. He was the highest in rank of Confederate generals at the time of his death. In civil affairs he was an able and capable man, and in every walk of life a gentleman.

Edward Ward Carmack was born near Castalian Springs in Sumner County, Tennessee, November 5, 1858. He was educated at the Webb School, then located at Culleoka, now at Bellbuckle, Tennessee. He studied law and began practice in Columbia, and in 1884 was elected representative of Maury and Williamson Counties in the General Assembly of Tennessee. In 1886 he became one of the editorial staff of the *Nashville American*, and in 1888 editor-in-chief of the *Nashville Democrat*. When this paper was united with the *American* Mr. Carmack was made chief editor of the combined papers. In April, 1890, he married Miss Elizabeth Dunnington, of Columbia. In 1892 he moved to Memphis to become editor of the *Memphis Commercial*, which was afterward combined with the *Appeal*, Mr. Carmack becoming editor-in-chief of the *Commercial Appeal*.



Edward Ward Carmack

In 1896 he was elected representative in Congress from the 10th Congressional District and served two terms. In 1900 he was sent to the United States Senate and served one term, being defeated for reëlection by Hon. Robert

L. Taylor. In 1908 he canvassed the state with Governor Patterson for the Democratic nomination for governor, but was defeated. He then became editor-in-chief of the *Nashville Tennesseean.*

He was an honest, fearless man with characteristics that made for him many devoted friends and many bitter enemies. He made himself famous in the editorial chair and in the halls of Congress, and was considered one of the most brilliant and versatile men the state has ever produced. He was killed on Seventh Avenue in Nashville by Duncan B. Cooper and his son, Robin Cooper, November 9, 1908. The Coopers were tried for murder and sentenced to serve twenty years each in the penitentiary.* The cause given at the trial for the origin of the difficulty was offensive editorials that had been published in the *Nashville Tennesseean.*

WHAT HAVE WE LEARNED?

Make a list of the nine Tennesseeans described in this chapter.

Study each carefully, and see what you can learn of these famous men from other sources as well as from these short sketches.

* The Coopers appealed to the Supreme Court. Robin Cooper's trial was decided to have been *technically* wrong and was sent back to the lower court for retrial. Duncan B. Cooper's sentence was decided to be right, but he was pardoned by Governor Patterson as soon as notice was received of the decree of the Supreme Court.

Period V. 1865–1909

THE STATE SINCE THE CIVIL WAR

CHAPTER XXX

DOMESTIC RECONSTRUCTION

The years that immediately followed the close of the Civil War were years of strife and gloom. The Union men thought that they had been badly treated by the Confederates, and the Confederates thought they had been shamefully wronged by the Union men. Each party was angry and defiant.

The battles and raids and marches, to and fro, of both armies had destroyed millions of dollars' worth of property. The horses and mules had been taken by the soldiers for use in the army, hogs and cattle had been killed for meat, grain and hay had been wasted and hauled away, stores and residences had been robbed and burned, wagons and farming tools had been destroyed, the people had very little money to buy anything and were almost without clothing and food.

The negroes had been told that they were going to be set free and, in their childish way of thinking, they considered that freedom meant freedom from work. So most of them, especially the young and thoughtless, quit work and started out in quest of pleasure.

The four years of war had broken up the courts and almost destroyed the whole force of civil law. Worthless and vicious men had discovered that they could do almost as they pleased if they kept themselves out of the hands of army officers, and they were very careful to do that. They roamed over the country, insulting, abusing, and robbing people, until no one felt safe even in his own house.

Thousands of the bravest and best men of the state had been killed in battle, and thousands more were maimed for life. Widows, orphans, and desolate homes were seen all over the land. Churches and schoolhouses had been converted into hospitals and many of them burned, when abandoned, sometimes to prevent the spreading of diseases, sometimes out of genuine meanness. Everywhere were ashes, desolation, and grief.

This is a dark picture of the conditions in Tennessee in the spring of 1865, but it is a correct one for most of the state. The people, however, were not of a stock to sit down and give themselves up to despair. They went to work as best they could to "reconstruct" their fortunes. Men with one arm or one leg hitched a little ox to the plow, if they could not get a horse or a mule, and made a crop. Everybody went to work, cotton was at a very high price, and in the fall the people had some money; merchants began to bring in goods, mechanics opened shops, and all branches of business began to revive. The negroes soon learned that they could not live on freedom and the talk of demagogues and carpetbaggers, and they went to work. Their labor aided materially in the return of prosperity.

These results were obtained slowly and in the midst of difficulties. The war left few people in the state with any property except their land. The social and industrial

organization of the country had to be "reconstructed." In other words, the people had to begin life anew, very much as their pioneer ancestors had done when they entered the state, but under very different conditions.

Between 1865 and 1870, in spite of financial ruin, ill-judged national legislation, and the most perplexing and complicated domestic problems, the men and women of Tennessee succeeded in starting the revival of the fallen fortunes of their state. This was done, too, under political conditions that were a strange compound of civil law, anarchy, and military despotism.

It is very hard for people who did not live in that period to understand the conditions. We must remember that part of the people of Tennessee had been for the Union and part for the Confederacy. Where all, or very nearly all, of the people had been for the Union, law and order were soon restored. The same was true where all had been for the Confederacy. In sections where the people were divided in opinion the bitterness and rancor of party feeling caused trouble. Lawless characters took advantage of this, and stirred up strife for their own selfish ends. There were some sections of this kind where only military force could have kept the peace. The military force, however, was not always wisely used, and in some instances its presence produced only anger and defiance of law. Thus we see that in some parts of the state there was quiet civil law; in some, military authority; and in some, very little government of any kind.

The pioneers of Tennessee were a brave, patient, hardy race of whom their descendants are justly proud. The present generation of boys and girls in Tennessee have as just cause for pride in their parents and grandparents of the war and the "Reconstruction Period." They faced

dangers that were as great and difficulties as serious as any that ever tried the souls of the pioneers. They met every trial with a courage and fortitude worthy of their heroic ancestors, and have left to their children an inheritance of immortal fame.

WHAT HAVE WE LEARNED?

1. When did the Civil War begin and when did it end ?
2. Views of Confederates and Unionists.
3. Destruction of property by the war.
4. The negroes and freedom.
5. Effects of the war on civil government.
6. The killed and maimed.
7. Churches and schoolhouses.
8. The dark picture.
9. Spirit of the people.
10. Effects of the first crop.
11. Change in the negroes' opinions.
12. Property after the war.
13. Domestic "reconstruction."
14. Conditions between 1865 and 1870.
15. Division of the people in Tennessee.
16. Quiet sections of the country.
17. Disturbed sections.
18. The people of 1860 to 1870 compared with the pioneers.

CHAPTER XXXI

POLITICAL RECONSTRUCTION

From 1862 to March 4, 1865, Andrew Johnson was Military Governor of Tennessee. In January, 1864, he tried to restore civil government in the state under Federal authority. He ordered an election of county officers in all of the counties that were under control of the Federal Army, but the people refused to vote or to take any part in this scheme, and the election was a total failure.

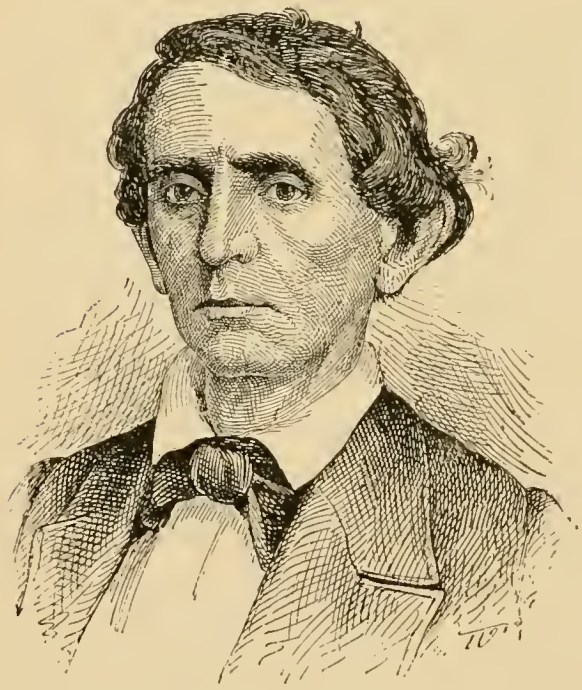
In November, 1864, a President and a Vice President of the United States were to be elected. Lincoln and Johnson were the candidates of the Republican party, and McClellan and Pendleton of the Democratic party. In September, 1864, a Union convention met at Nashville and nominated Lincoln and Johnson electors for the state. They prescribed an oath to be taken by all voters, and called a mass meeting of the Union men of the state for January 9, 1865, to select delegates to a convention to revise the constitution of Tennessee.

The Democratic electors objected to the oath prescribed by the Nashville Convention and withdrew their names from the contest. The Republican electors received all the votes that were cast, but the vote of Tennessee was not counted in the Presidential election of 1864, though a Tennesseean was elected Vice President.

The revision convention met as provided, and adopted a number of amendments to the constitution of the state,

among them one forever abolishing slavery. These amendments were submitted to a vote of the people and ratified February 22, 1865. The thirteenth amendment to the Constitution of the United States, abolishing slavery, was not adopted until December 18, 1865, and President Lincoln's Emancipation Proclamation, of January 1, 1863, did not include Tennessee. Tennessee freed her own negroes. Neither Lincoln's proclamation nor the thirteenth amendment had any part in it, and the real emancipation day in Tennessee is the anniversary of Washington's birthday.

An election for state officers under the amended constitution was provided for by the convention, and members of the legislature were elected March 4, 1865, and William G. Brownlow was elected governor.



William Gannaway Brownlow

William Gannaway Brownlow was born in Virginia in 1805. He learned the trade of a house carpenter, but abandoned it early in life and became a Methodist minister. In 1828 he came to Tennessee, and in 1839 became a local preacher at Jonesboro and editor of *The Whig*. He moved to Knoxville, transferred *The Whig* to that city, and continued its publication until the beginning of the war. This paper had a very large circulation and was one of the most independent, sarcastic, and abusive newspapers ever published in the state. Mr. Brownlow

preached many sermons, defended the institution of slavery in debate, ran for Congress against Andrew Johnson in 1843 and was defeated, wrote several books, the most famous of which is called *Parson Brownlow's Book*. In this he gives his unpleasant experiences with the Confederates and his views on secession and the war. He was in every fiber a southern Union man, and regarded secession as both foolish and wicked. He was a member of the convention that revised the constitution of the state, was elected Governor of Tennessee in 1865, and again in 1867. In 1869 he was sent to the United States Senate, where he remained until 1875. He died at Knoxville in April, 1877.

The four years from 1865 to 1869 have generally been called the "Brownlow Period." It was the time of "Reconstruction," and exhibited in its details almost every phase of the stormiest revolutionary tendencies, and the vilest political and personal animosities. All persons who had either directly or indirectly taken any part in the war against the Union, or who had in any way given aid or sympathy to the Confederacy, were not allowed to vote at any election. This placed the control of the state in the hands of a minority of the people.

In East Tennessee the voters were usually good and respectable citizens. In the other divisions of the state this was true to a limited extent, but a majority of those allowed to vote in Middle and West Tennessee constituted an "unsavory lot." The legislature passed "franchise acts" which gave the governor almost unlimited control of elections, and authorized him to use the military power of the state to enforce these acts. Those who were not allowed to vote became indignant and defiant, and opposed and embarrassed the state government in every possible way.

A part of the Union men advocated a more liberal policy and were called Conservatives; the others were called Radicals. In 1867 the Radicals nominated Governor Brownlow for reëlection; the Conservatives nominated Emerson Etheridge. The Conservative nomination was useless. The legislature had given the governor all power over elections, and he issued a proclamation which plainly showed that he intended to use it for the purpose of having himself reëlected. After a short canvass, in which there was more personal abuse, fighting, lynching, and violence of every kind than was ever before known in the state, Etheridge withdrew and Governor Brownlow was elected.

Emerson Etheridge was born in North Carolina in 1819, and came to Tennessee when a boy. He began the practice of law in 1840. In 1845 he was elected member of the legislature from Weakley County. He was a Whig member of Congress from 1853 to 1857. In 1857 he was defeated by the Democratic candidate, J. D. C. Atkins, but in 1859 defeated Atkins. When the troubles arose between the states he was a decided Union man and did all in his power to keep Tennessee from seceding. From 1861 to 1863 he was clerk of the House of Representatives at Washington. In 1867 he was a candidate for governor, but withdrew

Emerson Etheridge

before the election. In 1869 he was sent from Weakley County to the state Senate. In 1878 he was offered the Republican nomination for the governorship, but declined it. He died on his farm near Dresden in 1902.

In February, 1869, Governor Brownlow was chosen United States senator. D. W. C. Senter, speaker of the state Senate, became governor by succession until the election in August of that year. In May, 1869, the Republican convention disagreed, just as they had done in 1867.

The Conservatives nominated Senter for governor, and the Radicals William B. Stokes. Senter now had the same power that Brownlow had in 1867, and he used it to have himself elected.

He ordered the election commissioners to issue certificates, or permits to vote, to all actual citizens of the state. All the Democrats united with the Conservatives, and Senter was easily elected. A Democratic and Conservative legislature was also chosen, and the state government was again in the hands of officers elected by a majority of all the people.

De Witt Clinton Senter was born in McMinn County, Tennessee, in 1834. He received only a common school education. From 1857 to 1861 he represented Grainger County in the legislature. When the war began he took such strong ground for the Union that he was for a time imprisoned by the Confederate authorities. From 1865 to 1869 he was a member of the state Senate, and was chosen speaker of the Senate in the year 1867. When Brownlow was made United States Senator in February, 1869, Senter became governor by succession, and was elected governor in August of the same year. He died in 1897.

WHAT HAVE WE LEARNED?

1. Civil and military governors.
2. Johnson's effort to restore civil government.
3. Presidential candidates in 1864.
4. The Union Convention at Nashville.
5. The Democratic electors and presidential vote of Tennessee.
6. Revising the state constitution.
7. Emancipation in Tennessee.
8. State elections in 1865.
9. Sketch of Governor Brownlow.
10. Character of the "Brownlow Period." Date.
11. The state in the hands of a minority.
12. Voters in the three divisions of the state.
13. The "Franchise Acts."
14. Radicals and Conservatives.
15. Nominations for governor in 1867.
16. Character of canvass and result.
17. Sketch of Emerson Etheridge.
18. Governor by succession in 1869.
19. Convention of 1869, and nominations.
20. Result of elections in August.
21. Sketch of Governor Senter.

CHAPTER XXXII

SENTER'S ADMINISTRATION, 1869–1871

BEFORE we take up Governor Senter's administration you must have some explanation of a few things that affected other southern states more than they did Tennessee, but still had much influence in our own state.

De Witt Clinton Senter

At the close of the Civil War all of the seceding states were placed under military government. Congress then began to discuss plans of government for these states in the future. President Johnson had his plans, and Congress had quite different ones. The plans of Congress were adopted. What were called "provisional governments" were organized under Federal authority in all of these states except Tennessee. This scheme was called "Reconstruction."

These "provisional governments" had the form of regular state governments, but were really under control of the Federal army. In the states undergoing "Reconstruction" the actual citizens who had been in any way

connected with the Confederacy were not allowed to take any part in the government. The negroes and a great number of worthless men from the North, called carpetbaggers, did almost all the voting, and the carpetbaggers held nearly all of the offices. These men were called carpetbaggers because they did not have any interest in the state, and owned no more property in it than could be carried in a carpetbag. They never intended to remain in the state and become good citizens, but were a set of adventurers who meant to plunder the people and then leave the country.

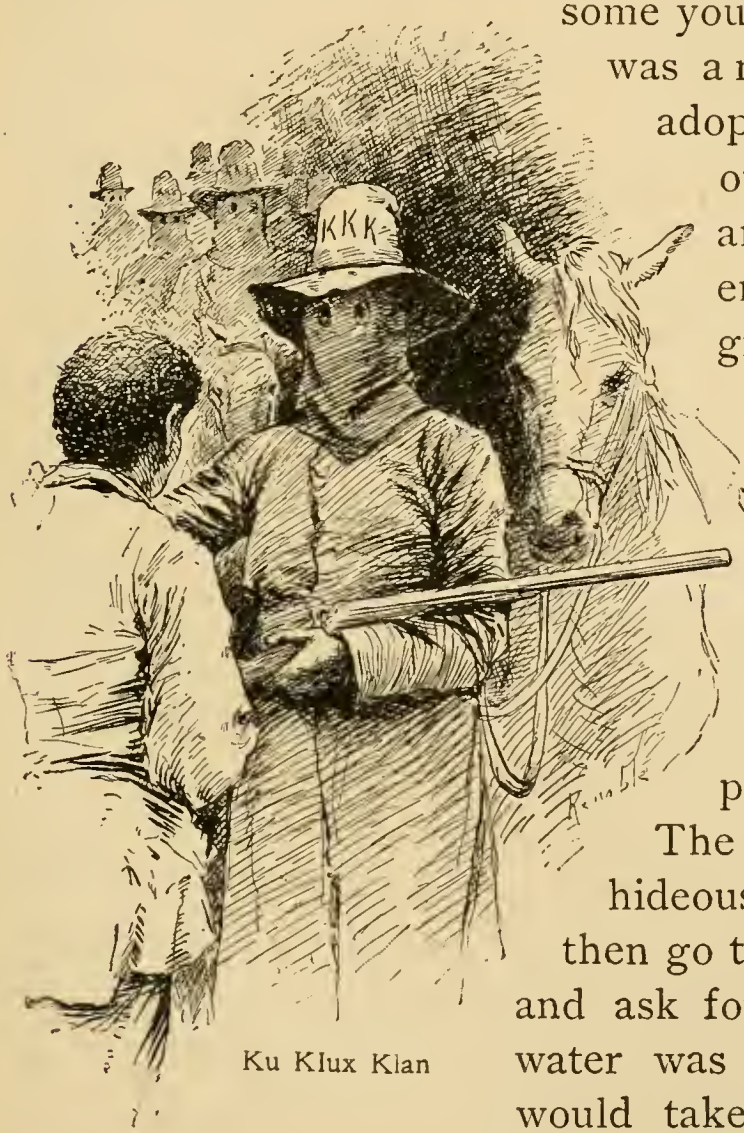
These carpetbaggers wished to keep the negroes under their own control so that they might be sure of their votes at every election. To do this they organized a secret political society called the "Loyal League" and persuaded all the negroes to join it; promising them great things if they did so, and threatening disgrace and danger if they did not. This Loyal League did some deeds of violence and crime. Bad men who never belonged to it, as well as those who did, used its name as a cloak for villainies of every character, and the League became a nuisance and a terror. The courts afforded no protection, as the judges of the courts were usually members of the League.

Carpetbaggers never held power in Tennessee, as there were plenty of genuine Union citizens in the state to keep them out, and the people of the state did their own "reconstructing." The Loyal League, however, was organized in Tennessee, and in some places showed many of its worst features. It either encouraged idleness and crime or was made an excuse for these things.

In opposition to the League there grew up another secret organization called the "Ku Klux Klan." There is no authentic history of the "Klan." Its members would

never say much about it, and would write nothing at all. No one else could give correct information. A committee of Congress made extensive investigations, but their published report reveals only the fact that they learned in reality very little about it.

As good authority as we have says the order was organized first at Pulaski, Tennessee, in the fall of 1866, by some young men whose object was amusement. They adopted grotesque and outlandish disguises, and went about frightening superstitious negroes. A member of this Klan would conceal a large rubber bag under his black robe, with a tube extending from the bag up under his disguise to about the position of his mouth. The whole party, in their hideous uniforms, would then go to some negro's house and ask for water. When the water was brought the leader would take the bucket, apparently drink the whole pailful, and then ask for more. After seeming to drink two or three pails of water he would thank the amazed negro, and tell him that it was the first drink of water he had taken since the battle of Shiloh. This usually brought on the climax, — the negro



Ku Klux Klan

dropped the bucket and took to his heels, supposing the man to be the ghost of some soldier who had been killed in battle.

The young men soon learned that they could scare the wits out of a Loyal League meeting, and turned their order into a band of regulators for the protection of society. It grew and spread rapidly until it extended over the whole South, and almost entirely suppressed the Loyal League. After the organization became powerful, bad men used it for improper purposes. Just as in the case of the Loyal League, many outrages were committed in its name by men who were never members of the Ku Klux Klan. These bad acts caused the hostility of the state government, and the congressional investigation.

As law and order became more firmly established in the hands of all the people, the Ku Klux Klan died out. In the early part of Governor Senter's administration there were serious Ku Klux outrages, but public sentiment against them was constantly growing stronger, and at the close of his term they had almost passed away. A new order of affairs was beginning in the state, and new questions, that had little to do with the old grudges of the war, were claiming public attention.

In the legislature which met in October, 1869, the Democrats had a majority in both the House and the Senate. The business before the new legislature was about this: —

1. To provide for maintaining the public credit.
2. To limit or restrain the power of the governor.
3. To restore to all respectable citizens the right to vote.
4. To suppress the lawless acts of those supposed to belong to the Ku Klux Klan or the Loyal League.
5. To provide for a new constitution suited to the changed conditions of the state.

They passed a resolution to sustain the credit of the state, and appointed a committee to investigate the state debt and the railroads to which bonds had been issued. The laws which gave extraordinary powers to the governor were repealed, and a bill was passed restoring the right to vote to all male citizens who had been living six months in the state. There was a severe Federal law against the Ku Klux, and under it some of them had been sent to the penitentiary. The part of Governor Senter's message relating to the Ku Klux was therefore passed over without action.

The most important work of this legislature was an act providing for a constitutional convention to be held at Nashville in January, 1870. This act was submitted to a vote of the people on the third Saturday in December, 1869, and was approved by a very large majority. The convention met at the time appointed, made many changes in the old constitution of the state, and added some new features. They submitted their work to a vote of the people in May, 1870, and it was ratified. This constitution is the one under which we now live, — the one printed in this book.

The close of Governor Senter's administration marks the end of Republican rule in Tennessee for ten years. The Democratic convention of 1870 nominated John C. Brown for governor. The Republicans nominated W. H. Wisener. Brown was elected, receiving nearly twice as many votes as his opponent.

WHAT HAVE WE LEARNED?

1. Condition of the seceding states at the close of the war.
2. President Johnson and Congress.
3. Reconstruction.
4. Provisional governments.

5. Carpetbaggers.
6. The Loyal League.
7. Abuses of the organization.
8. Carpetbaggers in Tennessee.
9. The Loyal League in Tennessee.
10. The Ku Klux Klan.
11. Difficulty of getting information about it.
12. Probable origin of Ku Klux. (The name is said to have been derived from the Greek word, *kuklos*, which means a circle.)
13. Amusing pranks of the early Ku Klux.
14. Change in the order.
15. Abuses of its power.
16. Dying out of the Klan.
17. New public issues.
18. Items of business before Governor Senter's legislature.
19. Forming the Constitution of 1870.
20. The end of Republican rule in Tennessee.
21. Nominees for governor in 1870, and result of election.

CHAPTER XXXIII

ADMINISTRATIONS OF JOHN C. BROWN, 1871–1875

JOHN C. BROWN was born in Giles County, Tennessee, in 1827. When only twenty-one years old he began the practice of law at Pulaski. When the war began, in 1861, he was a successful lawyer and prominent citizen of his county. He joined the Confederate Army as a captain of infantry, served gallantly through the whole war, and rose by successive steps to the rank of major general. At the close of the war he resumed his law practice at Pulaski. He was president of the constitutional convention of 1870, and performed his delicate and difficult duties as presiding officer with rare tact and ability. He was Governor of Tennessee from 1871 to 1875, defeating W. H. Wisener in 1870, and Alfred A. Freeman in 1872. He was the third governor who bore the name of Brown, and was a brother of Governor Neill S. Brown. After the expiration of his second term as governor he became an official of the Texan Pacific Railroad, and soon afterward its president. He died in 1889.

John C. Brown

Many of the exciting and vexing questions that had been prominent in the state since 1861 had practically passed away when General Brown was made governor. There were two very important subjects to be considered in the period of his administrations.

1. The settlement of the state debt.
2. The organization of a public school system.

The state debt is a difficult subject to understand. The best short history of it is to be found in Governor Bate's message to the legislature of 1883. It is not best to attempt to give my young readers anything more than an outline of what it is and how it was created.

From 1796 to 1833 there was no such thing as a state debt in Tennessee. Enough of taxes to pay the necessary expenses of the state government was levied, collected, and paid out each year, and there was usually a little money left in the treasury. In 1833 the state, very unwisely, issued $500,000 in interest-bearing bonds and used the money received for these bonds to establish a bank. After this more bonds were issued to buy the Hermitage, to build the Capitol, and for several other purposes, until the state's own debt was more than $3,000,000 in 1861. This is what has been called "the state debt proper."

The "internal improvement" mania caused another immense debt. The state lent its credit to turnpike companies, plank-road companies, and railroads, until they created a debt of nearly $14,000,000 by the time the war began in 1861. It was never intended or expected that the state would be called upon to pay these bonds. The state was only a surety; the companies were expected to earn the money necessary to pay the interest and to take up the bonds. The war came, stopped the business of the companies, destroyed their property, and broke them up.

The debt fell upon the state. This has been called the "state aid debt."

At the close of the war the turnpikes, railroads, etc., were in such ruin that more "state aid" was given to repair them and to put new ones into operation. Thus another debt of nearly $14,000,000 was created. There had been no interest paid on any of the bonds from 1861 to 1865, and more bonds were issued to pay off the interest that had accumulated during the war. These issues of bonds made between 1865 and 1869 have been called the "Brownlow debt." All taken together, — good, doubtful, and fraudulent, — the state debt amounted to more than $35,000,000 when Governor Brown went into office in 1871.

The governor's message to the legislature of 1871 and 1872 called special attention to this enormous debt, and urged some settlement of it. The members of the legislature in discussing the subject declared the "state debt proper" to be just, and that all of it ought to be paid; the "state aid debt" to be a hardship, and that the bondholders ought to bear part of the losses on that; the "Brownlow debt" to have been created by doubtful and perhaps illegal methods of a legislature that did not represent the taxpayers of the state, and that none of it ought to be paid. They did a great deal of talking and speech-making and political wrangling, and very little of anything else on the subject before them.

The elections of 1872 were especially exciting in Tennessee. Governor Brown was a candidate for reëlection, and the Republicans were putting forth every effort to defeat him. Andrew Johnson, Horace Maynard, and B. F. Cheatham were candidates for congressman in the state at large. General Grant was a candidate for reëlection to

the Presidency and was opposed by Horace Greeley, an able and distinguished Liberal Republican of New York. In the great political excitement and turmoil the state debt received little consideration, and almost nothing was done for it in Governor Brown's administrations.

The public school question fared better. The legislators knew that the people needed schools whether the state debt was paid or not. That could wait, but the children were growing up, and they could not wait. The negroes had been made citizens and had no education. It was considered both wise and humane to give them education to fit them as quickly as possible for their new duties.

In 1873 a school law was passed which provided for a State Superintendent of Public Instruction, a county superintendent in each county, city superintendents wherever necessary, and a board of three school directors in each school district. Schools for white children and those for colored children were to be organized and conducted separately.

The legislature levied a state tax to pay the expenses of these schools, and authorized counties and cities to levy additional taxes for the same purpose. The tax was small, but the people had lost most of their property by the ravages of war, and a heavy debt was hanging over them. A less heroic race would never have undertaken such a task under the conditions that then existed.

John M. Fleming, a scholarly and accomplished gentleman of Knoxville, was appointed state superintendent, and the school law of 1873 went into operation. It was amended and considerably changed from time to time, but in its important features it was the school law of Tennessee for many years. (For the present school law, which is very different, see Chapter XLV.)

WHAT HAVE WE LEARNED?

1. Sketch of Governor John C. Brown.
2. Troublesome questions from 1861 to 1869.
3. The two important subjects in Governor Brown's administrations.
4. State finances before 1833.
5. The "state debt proper."
6. The "state aid debt."
7. The "Brownlow debt."
8. The entire debt in 1871.
9. The legislature of 1871 and 1872, and the state debt.
10. The three exciting political contests in 1872.
11. Importance of public schools.
12. School officials according to the law of 1873.
13. How are our public schools supported?
14. Condition of the people when the school law was passed.
15. First state superintendent under the new law.
16. The school law of 1873 and that of the present time.

CHAPTER XXXIV

ADMINISTRATIONS OF PORTER AND MARKS, 1875–1881

In the Democratic convention of 1874 there were not less than a dozen men who wished to be nominated for governor, and in the Republican convention there were nearly as many. The Democrats nominated James D. Porter, and the Republicans Horace Maynard. Porter was elected by a majority of more than forty-seven thousand votes. The next year Maynard was sent by President Grant as United States minister to Turkey.

James D. Porter

James D. Porter was born at Paris, Tennessee, in 1828. He was educated at the University of Nashville, and began the practice of law at Paris in 1851. He was a member of the legislature from 1859 to 1861, and took an active part in the exciting events attending secession. He was General Pillow's adjutant general and assisted in organizing the troops. Afterward he became General Cheatham's chief of staff and served in that position through the war. In 1865 he resumed the practice of law at Paris. He was a

member of the constitutional convention of 1870, and judge of the circuit court of his district from 1870 until he was nominated for governor in 1874. He was Governor of Tennessee from 1875 to 1879. After the close of his last term as governor he became president of the Nashville, Chattanooga, and St. Louis Railroad and resigned after four years' service. In 1885 President Cleveland appointed him Assistant Secretary of State. In 1887 he resigned this office and withdrew from political life. He became one of the trustees of the Peabody Educational Fund, and a member of the Board of Trustees of the University of Nashville, at which he was educated, and chancellor of that institution. He died in Paris, May 18, 1912.

In 1875 Andrew Johnson was elected United States senator from Tennessee, but died in July of the same year. Governor Porter appointed David M. Key of Chattanooga to fill the unexpired term of Senator Johnson. In 1877 President Hayes appointed Mr. Key Postmaster General. This was a notable appointment, as Mr. Key was a Democrat, had been a Confederate soldier, and was with one exception the first Cabinet officer appointed from a seceding state after the war.

This appointment showed clearly that the President of the United States wished the people to understand that the old war grudges ought to be forgotten. Mr. Key resigned his Cabinet office in 1880 to accept the office of judge of the federal court for the district of East Tennessee. Horace Maynard was recalled from Turkey to be made Postmaster General. Thus two distinguished Tennesseeans held this office during one presidential term.

In 1878 the Democratic convention nominated Albert S. Marks for governor; the Republicans nominated Emerson Etheridge. Marks was elected.

Albert S. Marks was born in Kentucky in 1836. He came to Tennessee when a youth, and in 1858 began the practice of law at Winchester. When secession was first proposed he was a Union man, but when the war began he joined the Confederate Army and became colonel of a regiment. In the battle of Murfreesboro he made a record for gallantry that placed his name on the Confederate roll of honor, but received a wound that caused the loss of one leg. After the war he resumed the practice of law. In 1870 he was elected judge of the chancery court and remained in this position until nominated for governor in 1878. He was Governor of Tennessee from 1879 to 1881. He died at Nashville in 1891.

Albert S. Marks

The administrations of Porter and Marks were noted for the wonderful advances made by the people of the state in building up what the war had destroyed. New churches, new schoolhouses, new residences, new stores, new factories, new industries of every kind, were springing up all over the state. It was a time of peace and growth. The towns especially moved forward in prosperity, and increased very rapidly in wealth and population.

In state politics the "debt of Tennessee" was the all-absorbing question, and it seemed as if almost every man in the state had an idea of his own as to how it ought to be settled. Some wished to pay it all, some wished to pay

a part of it, and some wished to pay none. You must understand that a state cannot be sued in court and forced to pay its debts as an individual can. The payment of a state debt is a matter of honor with the people of that state. If they refuse to pay it, the creditors have no way to help themselves.

In the winter of 1876 the state's creditors proposed to Governor Porter to take three fifths, or sixty cents on the dollar, with six per cent interest, as payment in full of all their claims. The governor called the legislature together and submitted the proposition to them, strongly recommending that it be accepted. After carefully considering the question, seemingly with a view to getting the greatest number of votes for themselves at the next election, the legislature adjourned and went home without having done anything. This was the end of what was called the "sixty and six" compromise.

Governor Marks was as anxious for a settlement of the state debt as Governor Porter had been, and urged the legislature of 1879 to do something with the vexed question. An act was passed settling the debt at fifty cents on the dollar with four per cent interest. Most of the creditors were willing to accept this, but when the act was submitter to a vote of the people it was rejected. This was the end of what was known as the "fifty and four" proposition.

Between 1875 and 1880 there had grown up in the United States a new political party called the Greenback party. One of their doctrines was that the government should issue more treasury notes so as to make money more plentiful. The backs of these notes were printed with green ink, and the notes were therefore called greenbacks. The party took its name from the money it advocated.

In 1880 the Democrats were divided on the state debt question, and Governor Marks refused to be a candidate for reëlection. The "fifty and four" or state-credit Democrats nominated John V. Wright for governor. The low-tax Democrats nominated S. F. Wilson. The Greenback party nominated R. M. Edwards. The Republicans declared themselves in favor of settling the state debt according to the wish or consent of the creditors, and nominated Alvin Hawkins, who was easily elected on account of the strife and divisions among the Democrats.

WHAT HAVE WE LEARNED?

1. Nominations for governor, and election in 1874.
2. Sketch of Governor Porter.
3. The United States senator elected in 1875.
4. President Hayes's first Postmaster General.
5. Why this appointment was remarkable.
6. Hayes's second Postmaster General.
7. Nominations for governor and election in 1878.
8. Sketch of Governor Marks.
9. Progress of the state during Porter's and Marks's administrations.
10. The main issue in state politics.
11. Different ideas on the settlement of the state debt.
12. How could a state be brought into a court for trial?
13. Proposition of the bond owners to Governor Porter.
14. Action of the legislature on the proposition.
15. What is meant by the "sixty and six" compromise?
16. Governor Marks's feeling about the state debt.
17. Action of the legislature of 1879.
18. Vote of the people on the act.
19. What is meant by the "fifty and four" proposition?
20. The Greenback party.
21. Governor Marks's refusal to be nominated for reëlection.
22. Nominations of governor, and election of 1880.

CHAPTER XXXV

HAWKINS'S AND BATE'S ADMINISTRATIONS, 1881–1887

ALVIN HAWKINS was born in Kentucky in 1821, but came to Tennessee when only five years old. He received a good education and in his early manhood was a teacher. In 1843 he began the practice of law at Huntingdon. In 1853 he was elected from Carroll County to a seat in the legislature. When the troubles of 1861 began he was an uncompromising Union man and put forth all his energy to prevent the secession of Tennessee. In 1862 he was elected to Congress, under the proclamation of Andrew Johnson as military governor, but was not allowed to serve.

Alvin Hawkins

In 1864 he was appointed Federal attorney for the western district of Tennessee. In 1865 he resigned this position and was afterward appointed a judge of the supreme court of the state. He held this position three years, resigning in 1868, but in 1869 was elected to the same office. The constitution of 1870 displaced him, and he resumed his law practice. He was Governor of Tennessee from 1881 to 1883. He died at his old home in Huntingdon, April, 1905. Governor Hawkins's public career was a

long one, and much of it in the midst of events and associations that besmirched many men. Through all of this he passed with a clean record, and is a striking example of the fact that public life does not corrupt a patriot.

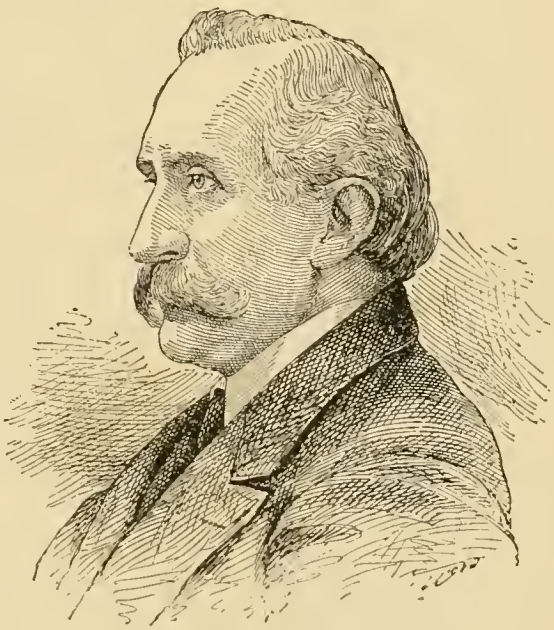
Governor Hawkins's message to the legislature of 1881, like those of preceding governors, urged the importance of settling the state debt. This was really the only important question for consideration. An act was passed in April, 1881, settling the state debt at dollar for dollar in full, with three per cent interest. This settlement was not submitted to a vote of the people, as the "fifty and four" proposition had been. Henry J. Lynn, as representative of a number of taxpayers, brought a suit in court to prevent the issue of the bonds. The Supreme Court of Tennessee decided the case in Lynn's favor and the "hundred and three" settlement was as dead as the "fifty and four." Nevertheless the "state debt" was still very much alive, and would not "down" at the bidding of either Democrats or Republicans.

In 1882 Governor Hawkins called an extra session of the legislature and told the members that they must try again to settle this debt. They tried again by adopting what has been called the "graded interest settlement." They passed an act to settle the debt at sixty cents on the dollar with three per cent interest for the first two years, four per cent for the next two years, five per cent for the next two, and six per cent after that time. The creditors refused this and the "graded interest settlement" went the way of all previous attempts to down this mighty ghost of past extravagance, war, and rascality.

In 1882 the Democratic convention declared in favor of paying the "state debt proper" in full, and the remainder of the debt at fifty cents on the dollar with three per cent

interest, and nominated William B. Bate for governor. A part of the Democrats, nicknamed "Sky-Blues," objected to this plan of settlement and nominated J. H. Fussell. The Republicans nominated Governor Hawkins for reëlection. The Greenback party nominated John R. Beasley. Bate was elected.

William B. Bate was born in Sumner County, Tennessee, in 1826. By the time he was twenty-two years old he had finished his academic education, had been a clerk on a steamboat, and had served as a soldier through the Mexican War. In 1849 he was elected a member of the Tennessee Legislature. In 1852 he began the practice of law at Gallatin, having graduated from the law school of Cumberland University. In 1854 he was elected attorney general for his district, and while holding this office declined a nomination for Congress. In 1861 he joined the Confederate Army and served with high honor through the war. He was severely wounded three times and rose through successive grades to the rank of a major general. At the close of the war he began the practice of law at Nashville. He was Governor of Tennessee from 1883 to 1887. At the close of his last term he was elected to the United States Senate and, by reëlection, held that position until his death in 1905. He was a careful student of politics, a methodical, safe man, and his public services to the state were of the greatest value.



William B. Bate

Governor Bate's message to the legislature gave a brief history and detailed statement of the debt of Tennessee, and advised a prompt settlement on the terms announced by the Democratic convention. The legislature followed his advice, and March 15, 1883, passed a bill that provided for taking up all of the old bonded debt and issuing new bonds that should be due in thirty years, but that might be called in and paid off at any time after 1888. All of the new bonds that were issued to take up the "state debt proper" were to bear the same interest as before the war, and this part of the debt was to be paid in full. In addition to the "state debt proper," that has already been explained, a few other bonds were settled at full value. Among these were some bonds belonging to schools, and some belonging to Mrs. Polk, the widow of President James K. Polk.

The remainder of the debt was to be cut down to fifty cents on the dollar and the new bonds were to bear three per cent interest.

This is called the "fifty and three" settlement, and it removed from the politics of the state a question that for fourteen years had been a sore subject for the people, and a rallying cry for demagogues of all political parties, or of no party at all.

The remainder of Governor Bate's administrations was a time of rapid growth in wealth and prosperity. With the state debt laid to rest, the people turned their attention to the development of the resources of the state and the improvement of their schools, which made remarkable advances under the supervision of Hon. Thomas H. Paine, who held the office of state superintendent from 1883 to 1887. But we shall learn of the schools in another chapter.

WHAT HAVE WE LEARNED?

1. Sketch of Governor Hawkins.
2. Act of 1881 to settle the state debt.
3. Lynn's lawsuit.
4. Effort to settle the debt in 1882.
5. Democratic platform of 1882.
6. Candidates for governor in 1882, and result of the election.
7. Sketch of William B. Bate.
8. Governor Bate's first message to the legislature.
9. Date of the "fifty and three" settlement.
10. Terms of the settlement.
11. Benefit to the people.
12. Remainder of Governor Bate's administrations.

CHAPTER XXXVI

ADMINISTRATIONS OF TAYLOR AND BUCHANAN, 1887–1893

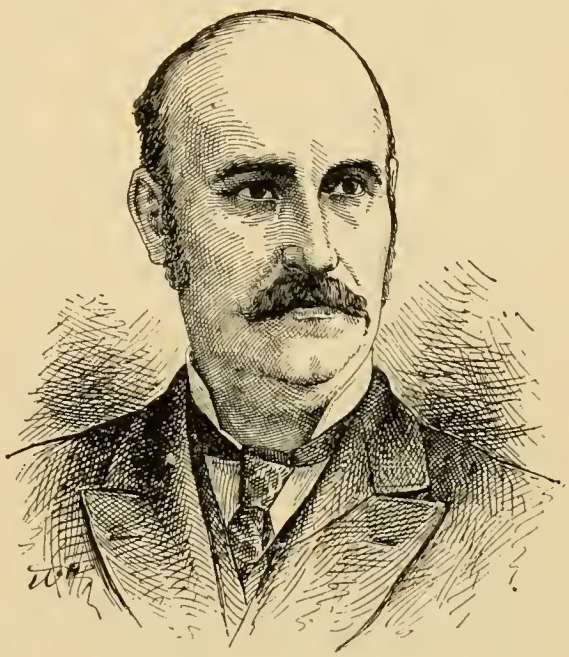
In 1886 there was a political contest for the governorship of Tennessee that differed from all others that had ever occurred in the state. Robert L. Taylor was nominated by the Democrats, and his brother, Alfred A. Taylor, by the Republicans. The two candidates were natives of East Tennessee, sons of a distinguished father who had been a Whig member of Congress before the war. They were as affectionate brothers as if they had not differed in politics, and every one knew there would be only good humor in the party strife between them.

Some one said that a contest of kinsmen reminded him of the "Wars of the Roses." At once the Democrats adopted the white rose of York as their emblem, and the Republicans took the red rose of Lancaster. Republican ladies exchanged roses with Democratic ones so that each might have suitable colors to make into bouquets for their respective favorites. You could have told a man's politics by noticing the color of the rose in his buttonhole as easily as by noticing which candidate he cheered. Never since 1861 had such crowds assembled to hear political speeches, and never were crowds better entertained or more jolly and good-humored.

The brothers discussed the tariff and the navy and national aid to education, and several other subjects pertaining to United States affairs, far more than they did

any purely state questions. About the only state question was the penitentiary lease system. They were young men who had been boys while the war was in progress, and none of its old rancor and grudges affected them. They spoke with grave dignity of important matters when they chose to do so, and told anecdotes to make people laugh when it suited them. The campaign of "Bob" and "Alf," as they were familiarly called, attracted more attention than that of any other two state candidates in America, and ended in the triumph of the Democrats.

Robert L. Taylor was born July 31, 1850, in Carter County, Tennessee. He was educated at Pennington, New Jersey, and at Athens, Tennessee. He began the practice of law in 1878, but went into politics the same year and was elected to Congress as a Democrat from a Republican district. He was a Democratic elector in the Presidential contest of 1884, and won fame as an orator throughout the state. He received a Federal appointment from President Cleveland, but resigned this office in 1886 to become a candidate for governor. He was Governor of Tennessee from 1887 to 1891 and again held the same office from 1897 to 1899. He is the only man since William Carroll who has been the undisputed Governor of Tennessee for six years, though Governor Harris was elected three times. After his retirement from office Governor Taylor traveled and lectured extensively. He



Robert L. Taylor

was one of the most genial and lovable of men, and one of the most popular of orators. He was elected United States Senator in 1907 and died in Washington, March 31, 1912.

Governor Taylor's administrations present an era of peace and prosperity and, with one exception, have no special or marked features. The time of greatest contentment and happiness for the whole people of a country is usually the most barren period for the historian.

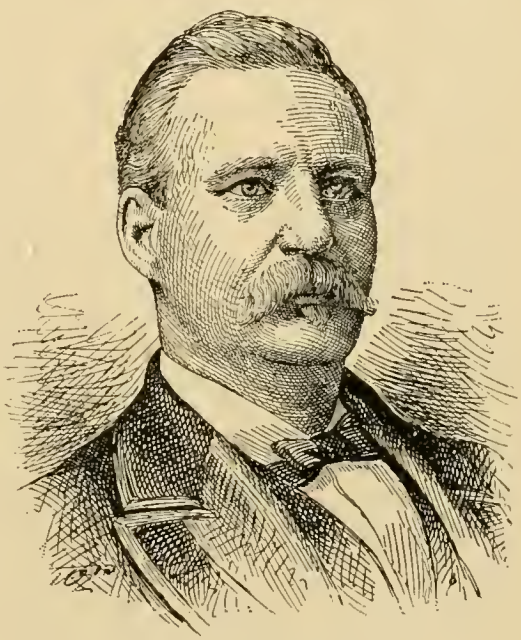
The exception referred to in the preceding paragraph was one of the most exciting elections ever held in the state, though it had no political significance. This was the election in 1887 on the prohibition amendment to the state constitution. A strange fact about the people of the United States is that they spend more money for intoxicating liquors than they do for bread. In May, 1884, a convention of people who were opposed to the liquor trade met at Nashville and asked to have the constitution of Tennessee so amended as to abolish the manufacture and sale of liquor in the state.

To amend the state constitution it is necessary for one legislature to pass the amendment, for the next legislature to approve it, and then for it to be adopted by a majority of the votes of the people. The legislature of 1885 passed the prohibition amendment, the legislature of 1887 approved it, and ordered an election to be held the following fall. Lawyers, doctors, preachers, teachers, politicians, and private citizens of both political parties began making speeches for the amendment. The women of the state worked earnestly for it, but some men worked more earnestly against it, and the prohibition amendment was lost. It received a large number of the votes cast, but not the requisite majority.

Throughout the administrations of Governor Bate and

Governor Taylor there had existed associations of farmers sometimes called Grangers, sometimes Wheels, and finally the Farmers' Alliance. Near the close of Taylor's last term the Alliance men expressed the belief that about all of the affairs of government were conducted very much in the interest of professional and commercial business, and very little to the advantage of agricultural industries. They took an active part in the politics of 1890, and the result was the nomination of John P. Buchanan for governor by the Democratic convention. The Republicans nominated Lewis T. Baxter of Nashville. Buchanan was elected.

John P. Buchanan was born in Williamson County, Tennessee, October 24, 1847. He belongs to a family famous in the history of the state. His paternal great-grandfather was Major John Buchanan, the pioneer companion of James Robertson in the settlement of Nashville in 1779, and the founder of the celebrated Buchanan's Station in 1782.



John P. Buchanan

John P. Buchanan received a good common school education and became a prosperous farmer. He was elected a member of the Legislature of Tennessee in 1886 and again in 1888. In 1890 he was elected Governor of the State of Tennessee and served one term. He now lives in Rutherford County, and is engaged in his favorite pursuit of farming and stock raising.

Governor Buchanan was a farmer, had been a leading spirit in the "Alliance," and the farmers of the state had high hopes that his administration would somehow bring great gain to them. In fact, they expected of him unreasonable and impossible changes in the management of state affairs. Of course they were disappointed.

The most serious event in Governor Buchanan's administration was an insurrection among the coal miners, which grew out of the penitentiary lease system.

In 1866 the prison inspectors reported to the legislature that the penitentiary had been costing the state an average of $15,000 a year for the preceding thirty years, and that something should be done to relieve the taxpayers of this expense. The legislature passed an act appointing a board of directors with authority to lease the prison or hire out the convicts to the best bidder for their labor. That is, the scamps who had gotten into prison by violating the laws were to be hired out and forced to earn their own living instead of being supported at the public expense.

The first lease was made in 1867 to Ward & Briggs at 40 cents per day for each convict. They established large shops in the prison and set the convicts to hard work. The prisoners did not like the arrangement, and in June, 1867, succeeded in burning the east shops with all their contents. Ward & Briggs then refused to pay for the labor, and claimed damages from the state for the machinery and material destroyed. The state paid the damages and canceled the contract.

December 1, 1871, Cherry, O'Connor & Co. leased the penitentiary and continued their contract until January 1, 1884, when the Tennessee Coal, Iron & Railroad Company became lessees. They left about one third of the convicts in the prison at Nashville and subleased them to Cherry,

Morrow & Co., a firm of wagon makers. About one third were transferred to the mines at Tracy City, where a strong prison had been built. The remainder of the prisoners were sent to the Inman mines in Marion County, the Coal Creek mines in Anderson County, and the marble quarries in Knox County. The whole number of convicts at that time was about thirteen hundred.

Under the lease system, instead of being an expense, the penitentiary brought to the state a revenue of more than $100,000 a year. But it created great discontent among the miners. Proprietors would not hire free men to work their mines when they could get convict labor much cheaper. This left many men without work, and threatened their families with want. Besides this, the people who lived in the mining districts objected to having large bodies of convicts so near their homes. At least, they claimed that they did, though their conduct afterward did not at all sustain this claim.

The miners objected, protested, and threatened without effect. In July, 1891, trouble began and continued at intervals until late in the fall of 1892. The miners attacked the prisons and released the convicts. Governor Buchanan sent some state troops to maintain order. Part of these were poorly trained or not trained at all, badly armed, and supplied with very few cartridges. The miners openly defied the state authorities, overpowered the soldiers, released the prisoners, and burned the prisons at Tracy, Briceville, Coal Creek, Oliver Springs, and Inman.

Many people were in active sympathy with the miners, and the authorities of the state did not seem to understand the serious nature of the trouble until many blunders had been committed that involved great expense and some loss of life. August 17, 1892, General S. T. Carnes, whose

advice had not been followed in the beginning of the troubles, was sent a second time with part of the National State Guard to suppress the disturbance. His force was composed of the First Regiment, Colonel J. L. Fox; Second Regiment, Colonel A. R. Taylor; Third Regiment, Colonel Cator Woolford, and an armed posse of one hundred and fifty men. General Carnes and his forces did their work quickly and thoroughly. The two thousand rioters were dispersed, many of them leaving the state. One hundred and seventy-five were arrested and some of the leaders tried and convicted. This ended the riot.

WHAT HAVE WE LEARNED?

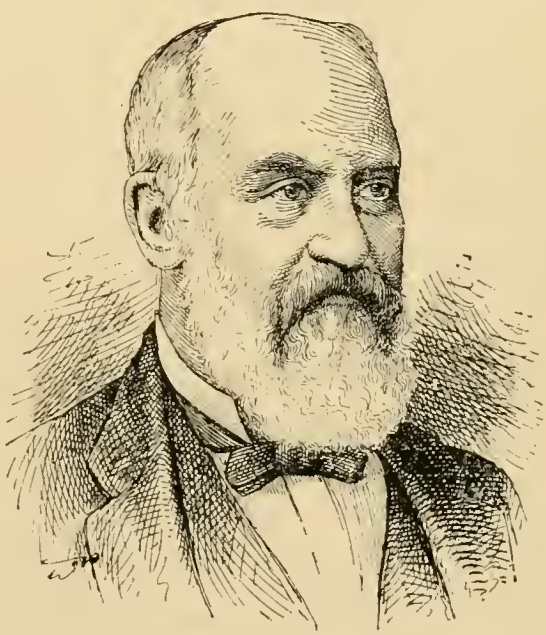
1. The candidates for governor in 1886.
2. Expected nature of the campaign.
3. The white and the red roses.
4. The crowds and the questions discussed at the speakings.
5. Unusual attention given to the canvass.
6. Sketch of Robert L. Taylor.
7. Character of Governor Taylor's administrations.
8. The prohibition amendment.
9. How the constitution may be amended.
10. Result of the election. Political significance.
11. The Farmers' Alliance in politics.
12. Nominations for governor in 1890, and result of the election.
13. Sketch of John P. Buchanan.
14. What was expected of Governor Buchanan.
15. Report of the prison inspectors in 1866.
16. Action of the legislature.
17. First lease of the penitentiary, and results.
18. Second lease.
19. Third lease, and distribution of the convicts.
20. Advantage to the state of the lease system.
21. Discontent among the miners and what they did.
22. Condition of the state guard.
23. How the trouble was ended.

CHAPTER XXXVII

ADMINISTRATIONS OF TURNEY AND TAYLOR, 1893–1899

In 1892 the Democrats nominated Judge Peter Turney for governor; the Republicans nominated George W. Winstead of Knoxville. Governor Buchanan was urged to declare himself an independent candidate for the indorsement of the people, and made the canvass as an Independent Democrat. Turney was elected.

Peter Turney was born in Marion County, Tennessee, in 1827. He was a son of Hopkins L. Turney, who was selected for United States senator by "the immortal thirteen," and who years afterward actually became a senator in defiance of a Democratic caucus against him.



Peter Turney

Governor Turney was educated at Winchester and at Nashville. He studied law under the tuition of his father, and began practice at Winchester in 1848. He was one of the first and most outspoken secessionists in the state. In 1861 he joined the Confederate Army and became colonel of "Turney's First Tennessee Regiment." He served gallantly throughout the war, was severely wounded

at Fredericksburg, declined promotion because he did not wish to leave his regiment, and came back with "his boys" to Winchester after the surrender. He was elected a judge of the supreme court of the state in 1870, 1878, and 1886. From 1886 until he was made governor he was the chief justice of the state. His period of service, twenty-three years, was longer than that of any other justice who has been on the supreme bench. He was Governor of Tennessee from 1893 to 1897. At the close of his last term of office he resumed his law practice, but his feeble health prevented frequent attendance at court away from his home. He died at Winchester in 1903.

Three prominent incidents in the history of the state deserve record as belonging to the administrations of Governor Turney.

1. Abolition of the penitentiary lease system.
2. The contested election of 1894.
3. Preparation for the Tennessee Centennial.

After the troubles of 1891 and 1892 had subsided, it was thought best to find some profitable way of employing convicts without bringing them into competition with free laborers.

Some people advocated the purchase by the state of a large tract of land containing coal or iron or building stone, and working it entirely by convicts. Labor on the public roads in all parts of the state was proposed by some, but this required too much expense for guards. A number of other solutions of the problem were proposed, but it was soon discovered that any profitable labor must come into competition with all other labor of the same kind.

The legislature abolished the lease system, purchased a large tract of land near the Cumberland River, about eight miles northwest of the Capitol, and built a new and very

large, fine prison. The convicts are employed in various manufactures and handicrafts in the prison, and in raising on the farm field and garden crops for their own use. A large tract of coal-producing land was also bought, and convicts mine all the coal used in the Capitol, the asylums, and other public buildings.

In 1894 Governor Turney was a candidate for reëlection. The Republicans nominated H. Clay Evans of Chattanooga. At the close of the election both candidates claimed to have been elected. Mr. Evans took the oath of office while the matter was in dispute, claiming that the election returns showed that he had received more votes than Governor Turney. The matter was carried before the legislature for investigation and settlement.

There is a law in Tennessee that requires every citizen between twenty-one and fifty years of age to pay his poll tax every year. If he fails or refuses to do this, he forfeits his right to vote. The legislative investigation of the Turney and Evans contest showed that many men had voted who had not paid their poll taxes, and that other violations of the election laws had occurred. It was claimed that most of the fraudulent votes were cast in counties where Evans received his largest majorities, and that he was therefore not legally elected. Governor Turney was declared the lawful governor of the state, was inaugurated, and served the full term.

In 1893 many enterprising and patriotic people began to talk of celebrating the one hundredth anniversary of Tennessee's admission into the American Union. The date would be June 1, 1896. In 1894 an association was organized for the purpose of preparing a grand exhibit of the arts, sciences, inventions, resources, industries, and products of the state.

The committees worked with all their might, secured a beautiful piece of ground on the western border of Nashville, raised immense sums of money to prepare the grounds and buildings, and enlisted the interest of people not only in Tennessee, but all over the United States, and in some foreign lands. With all of their effort and industry, however, they could not get ready by June 1, 1896, and the "Tennessee Centennial" had to be deferred until 1897.

In the fall of 1896 Robert L. Taylor was elected governor and began his third term in January, 1897. The first day of May, 1897, the Tennessee Centennial Exposition was formally opened. Guns were fired, flags were raised, bands of musicians led long processions of people, Governor Taylor and other distinguished orators made speeches, and everybody congratulated everybody else on the great exhibition that was opened for the instruction and entertainment of all the people who chose to visit Nashville in the gala days between May 1 and November 1, 1897.

Within the exposition grounds were long, winding, graveled roads bordered by beds of beautiful flowers. Here and there were artistic fountains that emptied their waters into a clear lake on which pleasure boats were sailing all day and late into the night. The buildings were of wood, but so finished with plaster as to represent very light gray stone. They were of almost all sizes and designs; some of them very large and very beautiful.

In these buildings was exhibited a marvelous array of almost everything to be found in a civilized country. There were specimens of timber, iron, coal, stone, minerals of many other kinds, and all of the tools and machinery with which these things are worked into useful products.

There were vehicles of every kind from wooden-wheeled ox carts to the most elegant and elaborate palace cars. There were textile fabrics from the coarsest heavy blankets to the most delicate and costly laces; work of pupils in schools from all over the state and from many other states; jewelry and toys of every conceivable design; arms and ammunition; battleships and lighthouses; old relics and curiosities; statues and pictures that cost thousands of dollars; and many, very many, more things that were parts of that grand exhibit of Tennessee's one hundred years in the march of progress.

There was one part of the exposition grounds called "Vanity Fair." This was filled with the booths and tents of the side-show men, who clamored all day for people to come in and see "the grandest show on earth." Those who went saw about what is usually seen in the trick shows of jugglers and mountebanks in most of our large cities. Nevertheless "Vanity Fair" was a favorite place with most of the children.

Two nights in each week there were scenes of rare beauty on the exposition grounds. Cunningly contrived figures of elephants, swans, and many other beasts and birds, resplendent with the blaze of pyrotechnic light, marched through the grounds or glided over the lake. Rockets rose high in the air and exploded in starry showers of crimson and purple and gold. Jets of clear water rose from fountains illuminated by electric lights and glowed with every hue and tint of the rainbow, and sparkled and gleamed with every changeable grace of the aurora, until all seemed the work of enchantment, and the place a veritable fairyland.

When the first blasts of November winds were scattering the fallen leaves the grand exposition closed. It had

been one of the most successful and creditable ever undertaken and carried out by a single state. Every department had shown the wonderful progress of the state since her pioneer days, and the creation and management of the great exhibit had shown the genius and energy of the men and women who had charge of its fortunes.

WHAT HAVE WE LEARNED?

1. Candidates for governor in 1892, and result of the election.
2. Sketch of Governor Turney.
3. Three prominent features of Governor Turney's administrations.
4. Different ideas about employing the convicts.
5. Competition in labor.
6. Present employment of convicts.
7. The election of 1894.
8. Appeal to the legislature.
9. Election laws.
10. Into what fund does the poll tax go?
11. What are fraudulent votes?
12. Decision of the legislature in the Turney and Evans case.
13. Preparations for the Tennessee centennial.
14. Objects of the exposition. Correct date.
15. Work of the committees, and result.
16. Election of 1890.
17. Formal opening of the Centennial Exposition.
18. The exposition grounds.
19. The buildings.
20. Articles on exhibition.
21. "Vanity Fair."
22. The grounds at night.
23. Valuable lessons of the centennial exhibit.

CHAPTER XXXVIII

McMILLIN'S ADMINISTRATION, 1899–1903

In 1898 the Democratic convention nominated Benton McMillin for governor. The Republicans nominated James A. Fowler. McMillin was easily elected, his long and successful public service having given him an influence in the state that few men possessed.

Benton McMillin

Benton McMillin was born in Monroe County, Kentucky, September 11, 1845. He was educated at Kentucky University, and after preparing for the practice of law came to Tennessee in 1869. In 1875 he represented the counties of Macon, Clay, and Jackson in the Tennessee Legislature. In 1876 he was a Presidential elector on the Tilden and Hendricks ticket, and the same year was elected from Smith County to the legislature. In 1878 he was elected to Congress, and served, by repeated reëlections, until 1898, when he declined further service in that position. He was a member of the Committee on Ways and Means for fourteen years, and of the Committee on Rules to the end of his

term of service. He was the author of the famous "Income Tax Bill," and at the time of his retirement had a longer record of continuous service than any other Democratic member of the House of Representatives. He was Governor of Tennessee from 1899 to 1903.

Among many features of Governor McMillin's two administrations that have contributed to the prosperity of the state the following are perhaps most prominent:—

1. Settling and marking the boundary line between Virginia and Tennessee. 2. Economies and reforms that would enable the state to pay its debts. 3. The Uniform Text-book Law for the Public Schools.

When Tennessee was the western part of North Carolina there arose a dispute about the dividing line between Virginia and North Carolina. This was settled by a compromise between these two states, and surveyors were sent to establish and mark the line. Thus was fixed the boundary between Virginia and Tennessee. In 1859 the marks were so indistinct that Virginia and Tennessee appointed a joint commission to re-mark the dividing line. Unfortunately the acts of this commission were not confirmed by the two legislatures. In 1889 Virginia asked the Supreme Court of the United States to establish the old charter boundary of 36 degrees and 30 minutes as the true boundary, instead of the compromise line that had been established by former agreement. The court refused to do this, and decided that the compromise boundary, which is north of 36 degrees 30 minutes, is the true dividing line. But the court did not provide for establishing this line. In 1901 Governor McMillin asked the Supreme Court to appoint a commission to locate and permanently to mark this line. His petition was granted, and thus ended a controversy that had been going on more than a hundred years.

In 1899 the bonded debt of Tennessee was $16,455,200, and the floating debt, $850,000. The bonds had been in existence sixteen years, and no provision had been made for paying them, though Mr. E. B. Craig, the treasurer, had earnestly recommended a "Sinking Fund."

Governor Taylor had called attention to the condition of the "State Debt" and the necessity for a sinking fund, but the legislature took no efficient action. Governor McMillin promptly took up the matter and recommended, in accordance with Mr. Craig's suggestion, that every year a certain part of the money paid into the state treasury should be set aside to pay off the state bonds. This money is called "The Sinking Fund." The legislature promptly made a law to create a sinking fund, and provided for several economic reforms that would bring more money into the treasury. Coal-oil inspectors were given regular salaries and all their fees were turned into the treasury. This gives the state about $25,000 each year.

Reforms were made in the judiciary system which increase the annual revenue about $30,000. A small tax was levied on all charters issued to corporations, which brings each year about $40,000. The new penitentiary system, inaugurated in Governor Turney's administration, furnishes an annual revenue of about $100,000.

The governor, the treasurer, the secretary of state, and the board of railroad commissioners adjusted lawsuits and other difficulties with railroad, telegraph, and telephone companies, and placed their taxation on a permanent basis. From these and similar corporations the state receives an annual income of more than $200,000.

At the close of Governor McMillin's administration the entire floating debt had been paid, and more than $1,000,000 of the bonds had been retired.

Governor McMillin's first message to the legislature advised that some measures be adopted to reduce the cost of books used in the public schools. The legislature passed an act requiring that after September 1, 1899, the same kind of books shall be used in all the public schools of the state. Under this law all books proposed for use in the public schools are first examined by a "Sub Commission" of five skilled and experienced teachers appointed by the governor, who decide on their merits without knowing anything of their prices. The Sub Commission reports the merits of the books to the "Text-book Commission," which is composed of the governor, the state superintendent, and three members of the State Board of Education. The books are adopted, and contracts are made with publishers by the Text-book Commission once in five years.

This act is called the "Uniform Text-book Law." It is now in force, and gives to every child in the state school-books at moderate and uniform prices, and if he moves from one school to another it is not necessary to change his books.

WHAT HAVE WE LEARNED?

1. Candidates for governor in 1898.
2. Sketch of Governor McMillin.
3. The boundary line between Virginia and Tennessee.
4. The State Debt in 1899.
5. What is "The Sinking Fund"?

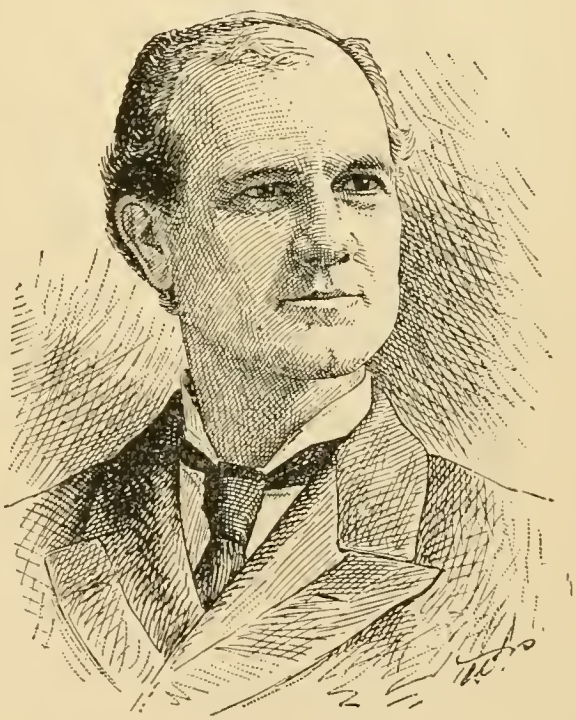
The increase in revenue: —

6. From coal-oil inspectors.
7. From the Judiciary Department.
8. From charters.
9. From "The New Penitentiary."
10. From corporations.
11. Conditions at close of Governor McMillin's administration.
12. The Uniform Text-book Law.

CHAPTER XXXIX

FRAZIER'S ADMINISTRATION, 1903–05

In May, 1902, the Democratic party nominated for governor of Tennessee James B. Frazier. The Republicans soon after nominated H. T. Campbell, and the Prohibitionists, R. S. Cheves. In November, Frazier was elected by a large majority, and was inaugurated, January 20, 1903. In November, 1904, he was re-elected to the same high office.



James B. Frazier

James B. Frazier was born at Pikeville, Bledsoe County, Tennessee, in 1857. He was educated at Nashville and Knoxville, graduating from the University of Tennessee. He studied law in the office of his father, Judge Thomas N. Frazier, who was for many years Judge of the Criminal Court of Davidson County. In 1881, Governor Frazier began the practice of law in Chattanooga, where he has lived continuously since that time. In 1900 he was made presidential elector for the state-at-large on the Democratic ticket. His campaign speeches were noted for their vigor, their eloquence, and their fairness. By them Mr.

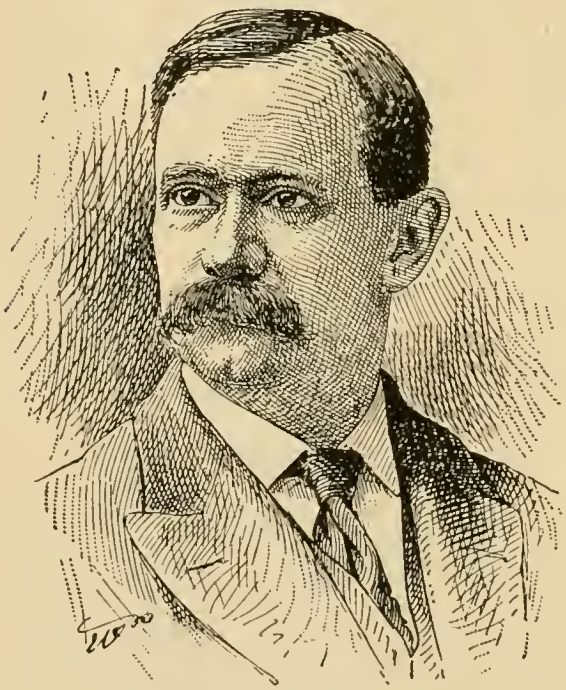
Frazier did much to win the confidence and esteem of the people who afterwards made him governor.

Governor Frazier's administration was one of wise management and great prosperity for the state.

The following deserve especial notice: —

1. "The Romine Bill."
2. "The Adams Law."
3. The Coal Creek Troubles of February, 1904.
4. The Second Text-book Commission.

Governor Frazier in his speeches to the public and in his message to the legislature declared his purpose to improve the public schools of the state, and earnestly recommended legislation for this purpose. The legislators aided him greatly by the enactment of a law known as the "Romine Bill." This law requires that all unappropriated money in the treasury, on the first day of January of each year, shall be added to the public school fund. January 1, 1904, the schools received $271,600 from this source. This addition to the school fund and the active and efficient work of State Superintendent S. A. Mynders greatly promoted the public school interests of the state and give promise of still better results in the future.



Seymour A. Mynders

The Adams Law prohibited the sale of intoxicating liquors in towns of five thousand inhabitants or less. Its passage was largely due to the efforts of the Anti-Saloon

League. It met the governor's hearty approval, as he considered drunkenness a discredit and a danger to the state.

In February, 1904, a strike of miners at Coal Creek threatened troubles similar to those mentioned in Chapter XXXVI. Governor Frazier went at once to the men, and by his firm stand for right and his eloquent appeals to the patriotism and good sense of these people promptly adjusted all the troubles.

The first contract for text-books, under the Uniform Text-book Law, expired in the summer of 1904. The governor, May 9, 1904, appointed a new Text-book Commission, which is treated in another chapter.

Brief as was the period covered by this chapter, it was one of great activity and great prosperity in every department of the state. All current expenses were promptly paid, the school fund was increased and schools improved, agricultural, manufacturing, and commercial interests advanced at a rapid rate; there was no floating debt, and in 1903 $316,700 of the bonded debt was paid, and in 1904, up to December 19, $298,800 more had been paid off.

WHAT HAVE WE LEARNED?

Let the boys and girls investigate for themselves: —

1. Character of Governor Frazier.
2. What he did for the business affairs of the state.
3. What he did to improve the morals of the state.
4. What he did for the schools of the state.
5. The work of Superintendent Mynders in the schools.
6. The influence of strong and honest character in high office.

CHAPTER XL

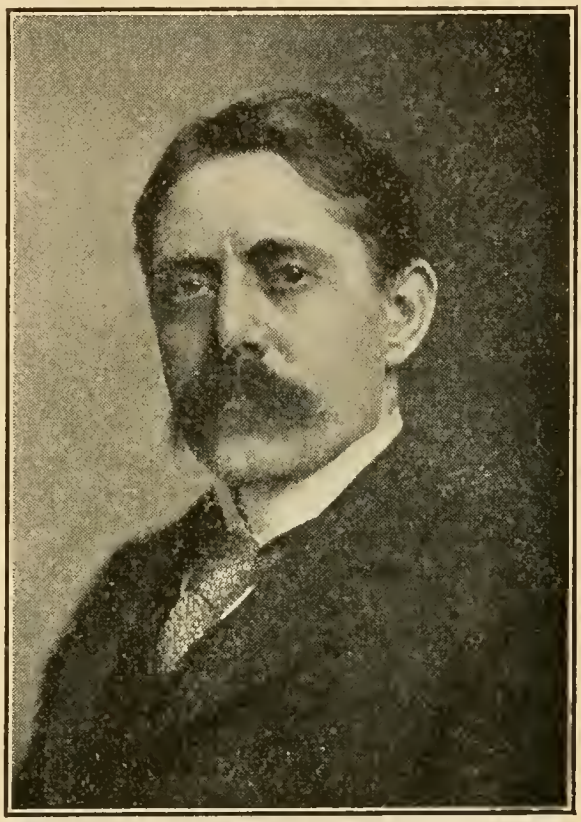
COX'S ADMINISTRATION, 1905–7

As stated in Chapter XXXIX, Hon. James B. Frazier was reëlected governor in November, 1904. He was inaugurated for his second term in January, 1905. On March 9, 1905, William B. Bate, United States senator from Tennessee, died in Washington, where he was attending the Fifty-eighth Congress. The legislature of Tennessee was then in session, and at once elected Governor Frazier to fill the vacancy caused by the death of Senator Bate. Mr. Frazier resigned the office of governor and accepted that of United States senator. For the third time in the history of the state the governor's office was made vacant by resignation. Who were the other two governors that resigned?

Now turn to Article III, Section 12, of the Constitution of Tennessee, and you will find that the Speaker, or presiding officer, of the state Senate becomes governor in case of the death, disability, or resignation of the governor who has been elected by the people. Senator Cox of Bristol was at this time Speaker of the state Senate, and was inaugurated governor of Tennessee, March 27, 1905.

John Isaac Cox was born in Sullivan County, Tennessee, November 23, 1857. His father was a Confederate soldier who was killed in the army when the boy John was about five years old. The boy who was to become governor of Tennessee grew to manhood in poverty, with only such opportunities for advancement as he could make for him-

self. He worked on the farm, carried a country mail, went to the district school when he could, finally worked his own way through Blountville Academy, and studied law with Judge W. V. Deaderick, whose daughter he afterward married. He began the practice of law in Blountville, became county judge of Sullivan County, and afterward county attorney. In 1889 he moved to Bristol, and has since been almost continuously in public life. He was city attorney, representative in the legislature, state revenue agent under Comptroller James A. Harris, and filled some other official positions. In 1900 he was elected to the state Senate, and by reëlections continued in this station until 1905, when he became governor. He sought the nomination of the Democratic party for a second term, but was defeated by Malcolm R. Patterson. At the expiration of his term of office as governor he was again elected to the state Senate, and served in that body in the sessions of 1907, 1909, and 1911.



John Isaac Cox

Governor Cox's administration was in many respects a continuation of that of Governor Frazier. He made few changes in official appointments, and discharged his duties efficiently in a conservative and businesslike manner. Serious rioting at Tracy City and at Whitwell, growing out of a strike of coal miners, was promptly suppressed. The quarantine laws for keeping yellow fever out of the state

were vigorously enforced. Large payments were made on the bonded debt. The public schools were improved by good legislation, by increased appropriations, and by the wise and active management of the State Superintendent, S. A. Mynders. The pension fund for old soldiers who are unable to make a living for themselves was increased $50,000, and $25,000 was given to pension widows whose husbands had been killed in war.

These pensions are given to either Confederate or Federal soldiers in need who do not draw pensions from any other state or from the treasury of the United States.

The whole of Governor Cox's administration was a period of thrifty activity that greatly increased the learning, the wealth, and the general prosperity of the state.

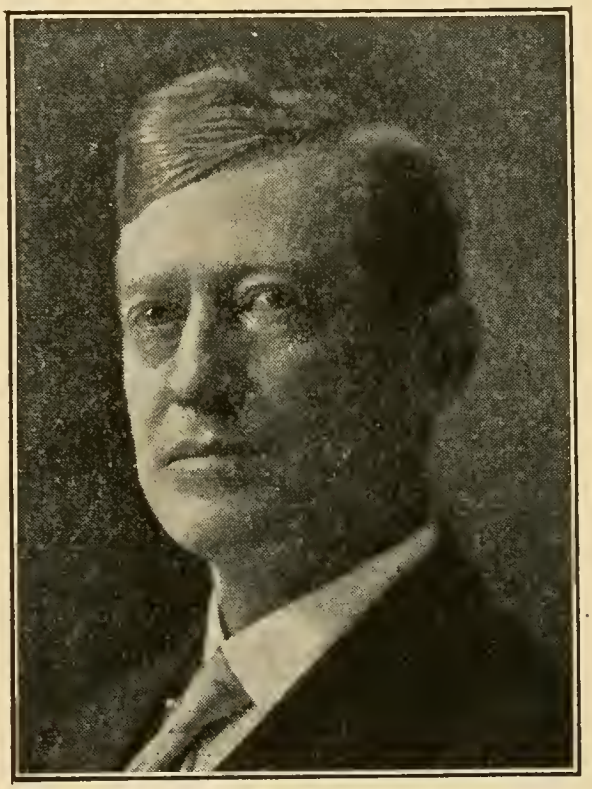
WHAT HAVE WE LEARNED?

1. Sketch of William B. Bate.
2. The three governors who have resigned.
3. Provisions of the constitution.
4. Sketch of John I. Cox.
5. Principal events of Governor Cox's administration.
6. Who may draw pensions?
7. Character of the period of Governor Cox's administration.

CHAPTER XLI

PATTERSON'S ADMINISTRATION, 1907–1911

In the summer of 1906 the Democratic party nominated Malcolm R. Patterson of Memphis as a candidate for governor of Tennessee. The Republican party nominated H. Clay Evans of Chattanooga. In November Mr. Patterson was elected, and in January, 1907, was inaugurated.



Malcolm R. Patterson

Malcolm R. Patterson was born in Alabama, June 7, 1861. His father was a Confederate soldier, Colonel Josiah Patterson, who commanded the 5th Regiment of Alabama Cavalry, and who, after becoming a citizen of Tennessee, served three terms in Congress as representative of the 10th Congressional District. The governor's mother, before her marriage, was Miss Josephine Rice.

Governor Patterson's parents moved to Tennessee when he was a child, and he was reared in this state. He received his education at Christian Brothers College and in Vanderbilt University. He studied law in his father's office and began practice in Memphis. In 1894 he was made attorney-general of the criminal court of Memphis,

and held this position for six years. Beginning in 1900, he served three terms in Congress as representative of the 10th district, receiving his nomination each time by acclamation. In 1907 he became governor, and in the midst of his term married Miss Mary Russell Gardner of Union City. He was the second governor of Tennessee to marry while in office, though the state has had more than thirty governors.

In 1908 Governor Patterson was a candidate for the nomination of the Democratic party for a second term as governor. Hon. E. W. Carmack, a former United States senator, was also a candidate for this nomination.*

A primary election was ordered for the Democratic votes of each county in the state, to decide which man should be the Democratic candidate for governor. A primary election does not determine who shall fill an official position, but is held to select a candidate of the party that holds the primary election.

In order that all of the voters might understand the position of each candidate on public questions, Governor Patterson and Mr. Carmack agreed to canvass the state in joint debate. The first paragraph of Chapter XXIII tells what is meant by a canvass in joint debate.

This canvass was one of the most intensely exciting political events in the history of the state, and its result was the choice of Mr. Patterson as the Democratic candidate for governor. The Republican party nominated George N. Tillman of Nashville. In November, Governor Patterson was reëlected, and he began his second term in January, 1909.

The law-making body of the state is officially called "the

* For sketch of Senator Carmack, see Chapter XXIX.

General Assembly of the State of Tennessee." For convenience it is usually called by the shorter title, "the legislature." My young readers must remember that the governor of a state cannot make laws, but it is a part of his duty to recommend to the legislature the kind of laws he thinks will be good for the state. It is also his duty to approve the acts of the legislature if he thinks they are right; or to disapprove, or veto, them if he thinks they are wrong. A bill passed by the legislature is not a law until the governor acts on it. If he approves, it becomes a law. If he fails to approve or to veto within five days after the bill is sent to him, it becomes a law. If he disapproves, the bill is not a law unless the legislature, after hearing his objections, again passes it; then it becomes a law. So you see that the governor has a part in the making of the laws; therefore the people usually praise or blame him for the kind of laws that are made in his administration.

Governor Patterson's administration is a notable one in the history of the state for many reasons. Among the many things that have attracted public attention on account of their importance, the following are prominent: —

1. Large payments on the state debt.
2. The purchase of a governor's mansion and of a capitol annex.
3. The great increase of pension funds.
4. The "Night Rider" troubles.
5. The temperance or prohibition legislation.
6. The County Board Law for the public schools.
7. The General Education Bill.
8. The third Text-book Commission.

From the beginning of Governor Patterson's administration to May 1, 1909, all current expenses of the state had

been promptly met, and $984,600 of the state debt had been paid, leaving the total bonded debt of the state at that date $11,809,400.

Up to 1907 the governors of Tennessee had been obliged to live while in office in hotels, boarding houses, or rented houses if they did not own a home in the capital city. It was considered unworthy the dignity of a great state that its governor should have no official residence. Therefore the General Assembly of 1907, with Governor Patterson's approval, made a suitable appropriation and bought the house which is now the governor's mansion, as the future official residence of the governors of Tennessee. Another house near the Capitol was bought to furnish more office room for conducting the increasing business of the state. This is called the Capitol Annex.

The pension fund for soldiers who are no longer able to provide for themselves was increased $100,000 and for soldiers' widows $100,000, so that the state now pays for soldiers' pensions $300,000 and for widows' pensions $125,000 each year.

In October, 1908, Mr. R. Z. Taylor and Mr. Quintin Rankin, two lawyers who lived in Trenton, went on business to the little village of Walnutlog in Obion County and stopped at a hotel to spend the night. About midnight they were taken by a large band of masked men, called "Night Riders," to the near-by woods on Reelfoot Lake, and Mr. Rankin was hanged by the neck and shot to death. Amid the confusion incident to the hanging and shooting of Mr. Rankin, Mr. Taylor escaped. This occurred while Governor Patterson was making his canvass against Mr. Tillman for reëlection. He left his canvass to take care of itself, while he went to Obion County to take care that the laws of the state were enforced. As the civil officers

seemed unable do deal with the numerous "Night Riders," the governor called out a part of the state guard and had a number of the "Night Riders" arrested and brought to trial for murder. Six were condemned to be hanged and two to serve twenty years each in the penitentiary. Those condemned were considered the leaders in the murder.*

The causes of this crime were lawsuits about disputed titles to land lying around Reelfoot Lake and fishing privileges in the lake. The two lawyers were supposed to be in the employ of a land company that was trying, as the "Night Riders" thought, to take their homes and their fishing privileges from them. However this may have been, the men had no right to commit murder to settle their grievances. No one has the right to violate the laws of his state, and the governor's prompt action in bringing lawless men to trial met the approval of all good citizens.

The General Assembly of 1909 passed a bill prohibiting the sale of intoxicating liquors anywhere in the state within four miles of a schoolhouse. Governor Patterson vetoed the bill, giving the following reasons for his action: First, that he had announced in his canvass that he would approve any prohibition measure, provided the people of the town or city to be affected wished to have such a law; but that he would not approve such a law when the people of the community had been given no opportunity to express their wishes, or had expressed themselves against it. Second, that the Democratic platform on which he had been elected announced the same principle; therefore he could not in good faith approve the bill. The majority of the legislators replied that they had been elected with instructions from the people to pass such a

* The condemned men appealed to the Supreme Court, and because the trial had been illegally conducted the cases were sent back to the lower court for a new trial.

bill, and they passed it over the governor's veto, thus making it a law. Similar action was taken on a bill prohibiting the manufacture of liquor in the state, and on an election law.

The Woman's Christian Temperance Union and the Anti-saloon League were the most active and effective agents in creating the sentiment that caused the prohibition legislation.

Though the governor and the General Assembly differed on prohibition and election laws, they agreed on the subject of education, and Governor Patterson's administration will be credited for some of the wisest and best things that have been done for the public schools. In the beginning of his first term Governor Patterson appointed Hon. R. L. Jones of Chattanooga as State Superintendent of Public Instruction. He is a scholarly man, had been a teacher in almost every grade of school, had been a successful county superintendent, and an active worker in educational associations. He came to the office well equipped for his duties and has performed them faithfully and efficiently. Much of the recent legislation for the benefit of the schools is due to his good work and to that of his predecessor, S. A. Mynders. You will learn more fully of the schools in Chapters XLVI and XLVII.

R. L. Jones

WHAT HAVE WE LEARNED?

This chapter and the one following may be considered as current history. Most of the subjects mentioned in it have been discussed in hearing of a majority of the girls and boys in school. Let the teacher take advantage of this to make the lessons in history present reality instead of romance. To many pupils John Sevier is almost as mythical a character as Achilles, while Columbus and De Soto are about as real as Neptune and Jason. One means of correcting this confusion of fact and fable in children's minds is a direct appeal to their personal knowledge and experience.

CHAPTER XLII

ELECTION OF GOVERNOR HOOPER

THE governor of Tennessee has the power to pardon people who have been convicted of crime whenever facts are presented to him that were not known to the court, or for any other reason that the governor may think sufficient for granting a pardon.

In the four years of his administration Governor Patterson pardoned one thousand four hundred and twelve criminals who had been sentenced by the courts to the penitentiary or to county prisons. This was a much larger number than had ever before been pardoned by any governor of the state. Many people thought this was an abuse of the pardoning power, and said that it was useless to go to the trouble and expense of catching and convicting outlaws for the governor to pardon as soon as they were sent to prison. They also said that the governor showed more interest in "machine politics" than he did in trying to enforce the laws, especially those passed by the legislature over his veto. On the other hand, the friends of Governor Patterson said that he had made a good governor; that he had enforced the laws to the extent of his authority, and had used the pardoning power only in cases of justice and humanity.

In the spring of 1910 these conflicting opinions divided the Democratic party into two hostile factions, the "Independents," who opposed Governor Patterson, and the "Regulars," who supported him. Political excitement became intense and partisan feeling very bitter.

The executive committee of the "Regulars" appointed a primary election to be held in June to select candidates for governor, judges of the Supreme Court and the Court of Civil Appeals, and some other state offices. The "Independents" said that this committee did not properly represent the Democratic party, therefore they refused to take any part in the primary election, called a convention of their own, and nominated candidates for all of the offices named except for governor. The Republicans indorsed these independent candidates, and at the regular election on the first Thursday in August they were elected by more than forty thousand majority.

Ben W. Hooper

On the 16th of August the Republican convention nominated Ben W. Hooper for governor. The "Regulars" had already nominated Governor Patterson for reëlection. The Independent Democrats met in convention, September 14, and indorsed the nomination of Hooper. After this Governor Patterson withdrew from the race, giving as his reason that he did not wish to cause division among the Democrats, as he considered the unity and harmony of the Democratic party more important than the political ambition or welfare of any man. The "Independents" replied that he should have thought of this before the division had actually occurred. The "Regulars" then

nominated Senator Robert L. Taylor in Patterson's stead, but he was defeated by Ben W. Hooper at the regular election in November.

Governor Hooper is the only Republican who has ever been elected governor of Tennessee by the free choice of a majority of the voters of the whole state. Brownlow and Senter were elected when many of the best citizens were not allowed to vote. When Governor Hawkins was elected there were four candidates, and he received more votes than any other candidate, but not a majority of the votes cast.

Ben W. Hooper was born at Newport, Tennessee, October 13, 1870. Being left an orphan at an early age, he received his childhood training in St. John Orphanage of the Episcopal Church at Knoxville. The governor considers his early education in the Orphanage the most valuable training of his life, and he expresses the greatest love and respect for the institution and its management. His later education was received at Carson Newman College. After graduating there he studied law in the office of Judge H. N. Cate and began practice at the age of twenty-one.

He was elected and served as representative in the Tennessee Legislature of 1893 and 1895. In the Spanish-American war of 1898 he was captain of Co. C, 6th United States Volunteer Infantry. From 1906 to 1910 he was Assistant United States District Attorney for the Eastern District of Tennessee. As you have already learned, he was nominated for governor by the Republicans in August, 1910, by the Independent Democrats in September, elected in November, and began his term of office in January, 1911.

Governor Hooper announced that he intended to give

the people of Tennessee a clean, business-like administration of the affairs of the state. That having been elected by both Republicans and Democrats he stood only for honest and efficient government and impartial enforcement of the laws.

In the offices that are filled by the governor's appointment he placed some Democrats and some Republicans. One of the most important of these offices is that of State Superintendent of Public Instruction. To this responsible position Professor J. W. Brister of Nashville was appointed. He is a scholarly gentleman and an efficient teacher. As a professor in Peabody Normal College and as an instructor in state institutes he has had much experience in the training of teachers, and good opportunities for becoming acquainted with school conditions and needs in the state. The names of other appointed officials can be found in the tables of the appendix to your book.

J. W. Brister

CHAPTER XLIII

HOOPER'S ADMINISTRATIONS, 1911–15

In accordance with his pledges when a candidate, Governor Hooper sent to the General Assembly of 1911 a message setting forth his views of the business that should be transacted by the legislature for the good of the state.

That legislature was composed of eight Republicans and twenty-five Democrats in the Senate; twenty-six Republicans and seventy-three Democrats in the House of Representatives. The Democrats were divided, as stated in Chapter XLII, into "Regulars" and "Independents." The Republicans and Independents usually acted together and in harmony with the governor.

The Regulars wished to amend or change the election and prohibition laws that had been made by the legislature of 1909. The Independents and Republicans wished these laws to remain as they were passed by the former legislature. This difference of views was a source of strife throughout the session. More consideration seems to have been given to these issues than to the measures recommended by the governor. However, many acts for the public good were passed.

Pensions were increased for veterans and widows of veterans of the Civil War. Counties were authorized to issue bonds to buy school property and to establish hospitals for the treatment of contagious diseases. A law was passed making working women's wages payable to them only, and one regulating the labor of children in factories and mines.

A pure food and drugs act was passed. These measures do not include all of the useful legislation of that restless, turbulent session, but they are among the important acts that touch the homes and the daily lives of the people.

In the campaign of 1912, Ex-Governor Benton McMillin was nominated by the Democrats, in the primary election, as their candidate for governor. Governor Hooper was nominated by the Republicans for reëlection and was again nominated by the Independents because of the record he had made as governor. He was elected and began his second term of office in January, 1913.

The legislature of 1913 held three sessions, — one regular and two called by the governor. In the Senate there were six Republicans, eight Independent Democrats, seventeen Regular Democrats, and two Democrats who voted sometimes with one faction and sometimes with the other. In the House of Representatives there were twenty-seven Republicans, nineteen Independent Democrats, fifty Regular Democrats, and three Democrats who voted on different sides at different times.

The sessions of this legislature were the wildest and stormiest seen in Tennessee since the days of the "Immortal Thirteen" in 1841. The disputing over the prohibition and election laws was worse than in 1911. Some of the meetings had little more semblance of order or dignity than street riots. Partisans of each faction charged their opponents with all kinds of bargaining, trickery, and improper methods of trying to carry out their respective purposes. Legislation for the public welfare was made secondary to maneuvering for political advantage, while all parties claimed that they were only honestly and patriotically seeking to maintain great principles for the good of the state.

Article II, Section 11, of the Constitution of Tennessee

provides that no law shall be passed when less than two thirds of the number of members belonging to each branch of the legislature are present to make what is called a "quorum." In 1909 enough Regular Democrats to break up a quorum in the Senate left the state to prevent the passing of laws to which they were opposed. In 1911 enough Republicans and Independent Democrats to break up a quorum in the House of Representatives left the state for a similar reason. Republicans and Independents repeated this action in 1913. This kind of tactics in legislative bodies is called "filibustering," which means unusual or irregular action by the minority to prevent or delay legislation to which they are opposed.

Among the important acts passed by the regular session of this legislature were the following: One third of the revenue of the state was given to the schools, instead of one fourth, as before had been the law. A compulsory school law was passed requiring all children between the ages of eight and fourteen years to attend school at least four school months in each year. County Boards of Education were authorized to transport pupils to and from school wherever the distance from their homes to the school is unreasonably great for them to walk. A banking law was passed and provision made for official examination of state banks and banking conditions. A system of prison paroles was established by which convicts may be allowed to leave their prison and work for themselves as long as they behave properly and report regularly to the appointed authorities.

In addition to these acts an appropriation bill and a bill amending the election laws were passed. Both of these measures were vetoed by Governor Hooper because no quorum was present when they were passed. The legis-

lature then passed them, or claimed to have passed them, over the governor's veto. The appropriation bill was re-enacted at the first called session. The amendments to the election laws were carried to the Supreme Court of the state, which decided that they were improperly passed and are void.

The prohibition laws enacted in 1909 had been openly and continuously violated in the larger cities of the state. Local authorities would not, or at least did not, punish the violators of these laws, and the governor has not the power to do so. Governor Hooper recommended legislation that would give him authority to stop this disregard of law, or the adoption of some other means that would put an end to it. The legislature treated the measure as a partisan question, refused to take any action, and adjourned.

The governor called an extra session which met the second Monday in September, 1913, and repassed the appropriation bill which had been vetoed at the regular session. Some good laws were passed for public sanitation and for the benefit of farming interests. One was passed changing the method of executing criminals from hanging to electrocuting. The extra session adjourned without doing anything to end the lawless liquor trade.

Governor Hooper called a second extra session to meet on the second Monday in October. He appealed to the people to hold conventions in their respective counties and instruct their representatives to do something to enforce respect for the state's authority. Many conventions were held and representatives instructed, so that the legislature of 1913 did finally do something in accord with the governor's wishes on this much-disputed liquor question.

The second extra session passed two laws usually called "The Jug Bill" and "The Nuisance Bill." The first

named forbids, except in special instances, the shipment of intoxicating liquor from one place to another place in the state, and the delivery of more than one gallon of liquor to one person when the liquor is shipped from a place outside of the state. The Nuisance Bill provides that ten citizens of any community, where policemen or other officials will not act, may go before the courts and have places where liquor is sold, or other unlawful acts committed, suppressed as public nuisances.

The regular session had passed an act for refunding the state debt which became due July 1 and October 1, 1913. The Supreme Court decided that the parts of that act exempting the bonds from taxation violated the constitution of the state, so this extra session passed another act for settling the debt by new bonds or by short-time notes as the Funding Board might think best.

S. H. Thompson

Seymour A. Mynders, former State Superintendent of Public Instruction, died September 17, 1913. He was one of the most efficient and best loved of the teachers in the state and was president of the State Normal School at Memphis at the time of his death. State Superintendent J. W. Brister was elected to succeed him as president of the Normal School. On October 24 the governor appointed S. H. Thompson to succeed Mr. Brister as State Superintendent of Public Instruction.

Besides his regular academic education Mr. Thompson has received the degrees of Bachelor and of Doctor of Pedagogy from Valparaiso University. He has done fifteen years of academy and high school teaching and four years of city supervision, and was a member of the State Board of Education for two years, beginning in 1911. He was supervisor of the Federal census of 1910 for the First District of Tennessee, member of the General Conference of the Methodist Episcopal Church in 1912, and has spent all of his manhood years in civil, religious, and educational work. Well qualified for his official duties and enjoying the confidence and esteem of the teachers, his administration promises progress and improvement for the schools.

My young readers must remember that in the brief limits of a school book it is not possible to tell *all* about any governor's administration. Many acts of the General Assembly have been given in telling of the work of the different regular and special sessions, but perhaps a brief summary of the important legislation of Governor Hooper's administration will give us a clearer view of what has been done.

1. Appropriations for pensions of soldiers of the Civil War and widows of soldiers have been increased.

2. Appropriations for public schools have been increased, and a compulsory school attendance law passed.

3. The Agricultural Department has been strengthened and the Immigration Bureau aided.

4. The prison system has been improved by the parole and indeterminate sentence law, and the purchase of 2312 acres of land adjoining the farm of the main prison, thus giving more room for out-of-door work for prisoners.

5. A reformatory for bad or unfortunate boys has been established.

6. The Health Department has been made more efficient by the vital statistics law and the pure food and drugs act.

7. Labor laws have been enacted limiting and regulating the labor of women and children, creating a Department of Workshop and Factory Inspection and a Workmen's Compensation Commission, and making various provisions for the health and safety of laborers.

8. A Banking Department has been established for the examination and regulation of state banks.

9. The office of State Auditor has been created for the purpose of having all public accounts of the state and all expenditures of state funds examined by experts in accounting.

10. A law has been passed requiring banks that receive the state's money on deposit to pay interest on that money as long as they keep it.

These are a few, and only a few, of the acts important to all of the people.

WHAT HAVE WE LEARNED?

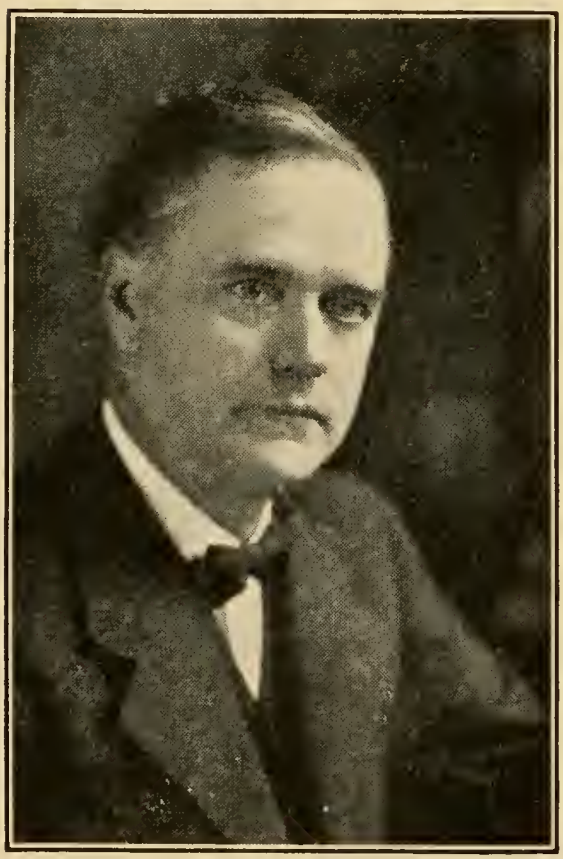
1. Why does a governor send a message to a legislature? (Constitution, Art. III, Sec. 11)
2. What part has a governor in the making of laws? (Chapter XLI, Paragraph 8.)
3. How did the legislature of 1911 spend much of its time?
4. Tell a few of the good things it did.
5. Name the candidates for governor and tell the result of the election of 1912.
6. Character of the sessions of the legislature of 1913.
7. What is meant by a "quorum"? By "filibustering"?
8. Who did the filibustering in the legislature of 1909? 1911? 1913?
9. What were some of the good acts passed by the regular session of 1913?

10. What do you understand to be lawlessness?
11. Is any one excusable for violating an existing law because he believes the law is not a good one? (Chapter XVII, Paragraphs 1 and 2.)
12. Why were there three sessions of the legislature of 1913?
13. What is "The Jug Bill"? "The Nuisance Bill"?
14. Do you think that the life of a public official is a quiet and easy one?

CHAPTER XLIV

ADMINISTRATIONS OF GOVERNOR RYE, 1915–1919

In 1914 the Republican party nominated Governor Hooper for a third term. The Democratic party nominated Thomas C. Rye. There was no joint discussion but each candidate made a very active, separate canvass of the state. Rye favored the prohibition laws and their strict enforcement, therefore the Independents who had supported Hooper joined the Regular Democrats in voting for Rye and he was elected in November, 1914, and began his term in January, 1915. He was elected for a second term in 1916.



Thomas C. Rye

Thomas Clark Rye was born in Camden, Tennessee, June 2, 1863. He received his education in his native town, studied law, was admitted to the bar, and began practice in Camden in 1884. He moved to Paris, Tennessee, in 1902, and became district attorney general in 1910. He resigned this office to accept that of governor in 1914.

In 1899 Governor McMillin set measures on foot for paying off a part of Tennessee's bonded debt each year. This was done until Governor Hooper came into office, when payments were suspended and it became necessary to refund the "State Debt," that is, to issue new bonds to take up the old ones which had become due.

When Governor Rye came into office he found that he had to contend with many conflicting interests and some serious financial conditions. In spite of these his administration was a prosperous and successful one. Its most important acts were as follows:

1. The Budget System. This law requires the chief of each department of the state government to make an estimate of the amount of money needed by his department for one year. The legislature then assigns this amount, or what it thinks a suitable amount, to this department, and the State Treasurer is forbidden to pay that department a penny more. This is intended to prevent unnecessary spending of public money.

2. The Ouster Law. After stringent laws had been made against the making or selling of intoxicating liquors in Tennessee, some of the officers who should have enforced these laws did not even try to do so. There were other laws that some officers did not try to enforce. The Ouster Law provides a quick and easy way to turn out these unwilling or incompetent officers and fill their places with better men.

3. A Highway Commission was created to plan and supervise the making and maintaining of public roads of a certain class.

4. Board of Control. This was composed of three members appointed by the governor to have control of the state's penal and charitable institutions. They are the

two penitentiaries; the three hospitals for the insane, located at Knoxville, Nashville, and Bolivar; Tennessee Agricultural and Training School, near Nashville, for wayward boys; a similar school at Tullahoma, for girls; the Tennessee Industrial School, near Nashville, for boys and girls; the School for the Blind at Nashville; and the School for Deaf Mutes at Knoxville. The Board of Control displaced nine local boards, — one for each of the above named institutions, with one exception, and was intended to reduce expenses and promote efficiency in administration. The new board adopted modern methods of accounting, and methods of reform in discipline and in sanitation.

S. W. Sherrill

5. The State Board of Education was increased from six to nine members, and the governor is no longer a member of the board. He appoints three members from each grand division of the state, names one of them as chairman, and this board was authorized to elect the State Superintendent of Public Instruction.

6. A state High School tax of five cents on each $100 of taxable property was levied, the money to be used in the county where it is collected.

Early in 1915 Governor Rye appointed Samuel Wells Sherrill as State Superintendent of Public Instruction.

Mr. Sherrill was born in Maryville, Tennessee, Septem-

ber 7, 1869; graduated from Maryville College in 1892; taught for five years in public schools; was principal of the Military Academy of Sweetwater one year; superintendent of city schools at Jonesboro eight years, at Trenton three years, at Paris five years; head of Department of Psychology and Methods in East Tennessee Normal School until April, 1915, when he became State Superintendent. He is a capable and energetic man, and the various high positions that he has held testify to his personal worth as a citizen and his efficiency as an educator. His administration of public school affairs was eminently successful.

When the United States, in April, 1917, declared war against Germany, Tennessee responded so promptly and effectively to President Wilson's call to the states to prepare for war that the National Inspector, General Crowder, declared Tennessee to have the best war organization of any state in the Union. This was due to the patriotic spirit of her people and to the untiring work of Major Rutledge Smith and the unfailing support given him by Governor Rye.

Incidentally the war aided the industrial interests of the state. One of the greatest munition factories in the world was established at Hadley's Bend of Cumberland River, near Nashville. This gave employment to thousands of people. It can produce many things useful in peace as well as in war.

Another of Tennessee's great modern industries is the Tennessee Power Company near Chattanooga. Its machinery is driven by the water of Ocoee River, and it furnishes cheap electric light and power to Chattanooga, Knoxville, Nashville, and many other towns, great and small.

One of the greatest industries of modern times is the Aluminum Plant established a few years ago at Maryville. It is said to be the largest of its kind in the world. It extracts the white metal, aluminum, from clay.

These are some of the greatest modern industries of our state. There are numerous smaller ones in all parts of the state and their number is increasing each year, and our agricultural enterprises are keeping pace with the mechanical ones.

The moral tone of the state has lost nothing by its material prosperity and experience in war. The number of convicts in the penitentiary diminished nearly 500 between 1914 and 1919. There are now in Tennessee more churches, more Sunday schools, more fraternal societies, more organized charities, and more desire to promote that which is good than ever before.

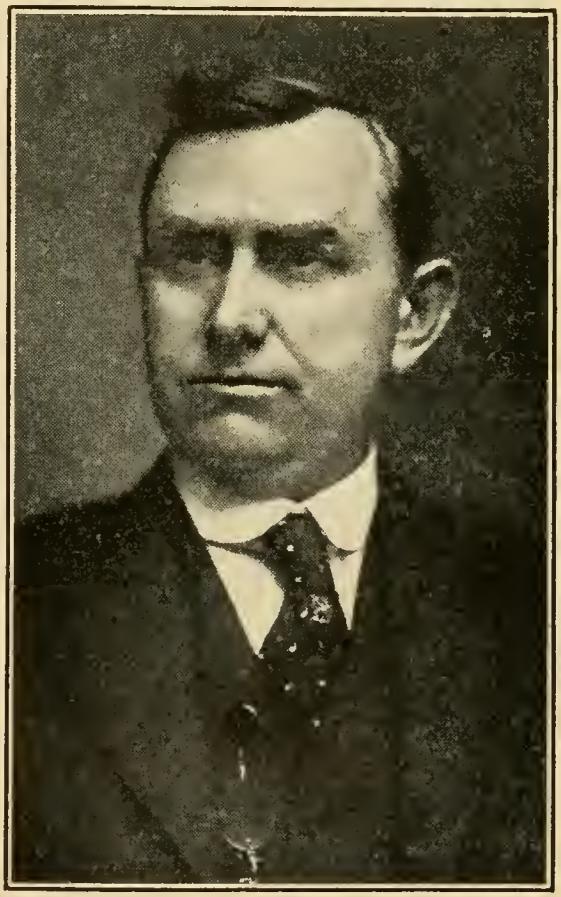
WHAT HAVE WE LEARNED?

1. The election of 1914.
2. Why did Independents join the Regular Democrats in this election?
3. The Budget System.
4. The Ouster Law.
5. Duties of the Board of Control.
6. Changes in State Board of Education.
7. High School tax by the state.
8. Noted industries in the state.
9. Minor ones.
10. Moral conditions.

CHAPTER XLV

ROBERTS' ADMINISTRATION, 1919–

In 1918 the Democratic Party nominated Judge A. H. Roberts for governor and in November he was elected, defeating his Republican opponent, Judge H. B. Lindsey. His campaign speeches were assurances to the people of a conservative and businesslike administration.



Albert H. Roberts

Albert Houston Roberts was born in Overton County, Tennessee, July 4, 1868. He received his elementary education in the common schools of his native county, his high school training in Kansas, and graduated from Hiwassee College, Tennessee, in 1889. He taught school for five years, served as County Superintendent of Public Instruction two terms, studied law and practiced his profession for fifteen years. In 1910 he was made Chancellor of the Fourth Division and continued in this position until September, 1918. From early youth he made his own way in the world. His life has been one of high aims and active work, and his success is the fruit of his own effort.

Governor Roberts was inaugurated January 15, 1919, and on the following day delivered to the legislature his first message. In this vigorous and practical message the governor gave some advice that might be made profitable not only to public officials but to the people at large, including the girls and boys of the state. Among many other good declarations were in substance the following:

1. Selfish personal interests and ambitions should never be set above the public good.

2. That no one should seek to avoid his just share of public service or responsibility and that those who try to evade their duty should be forced to perform it.

3. That it is foolish and wrong for any one to spend more money than his assured income and thus get deeply into debt, and that it is equally unwise for a state to pursue such a policy, as the state of Tennessee has been doing for several years.

Throughout the message the governor's evident purpose was to impress the legislature with the importance of an honest, efficient, and economical government for the good of the whole people.

For two things the legislature of 1919 will rest its claim in history. The first of these is the revision of the tax laws of the state, which were amended for the purpose of removing the inequalities of assessment. By an assessment lower in proportion to its wealth than that which prevails among its neighbors a county may become a tax dodger just as a man may, and the tax laws of 1919 were enacted for the purpose of equalizing the burden of taxation between county and county, as well as between man and man. The hidden or unseen property of many large business enterprises had not been taxed for want of laws fixing the methods

for assessing such property. Laws were enacted to remedy this defect.

The second important act of the legislature was that levying a direct school tax. The receipts from this tax are distributed chiefly as an equalizing fund, and its purpose is to aid the counties least able to help themselves. Society has begun to realize that ignorance in any section is a detriment and a danger to the whole state, and that it is the duty of the state to see that all its people receive the opportunity of an education.

Albert Williams

The legislature also passed laws which will result in building state highways throughout the state. The United States government furnishes large sums of money for this purpose. Nothing will be of greater advantage to the people than the building of good roads.

A very important bill was passed called the State Police Bill. Its object is to prevent lynching and other forms of mob violence.

A Workmen's Compensation Law was enacted which is of great value to both employers and employees. Under this law when an employee is injured or killed while at work, he or his family will be paid for the damages resulting from the injury, without a suit in court.

In April, 1919, Governor Roberts appointed Albert

Williams of Carthage, as State Superintendent of Public Instruction. Mr. Williams was born in Nashville, Tennessee, and educated at Vanderbilt University. He was at different times principal of Cheatham County High School at Ashland City, of Arlington High School in Shelby County, and of Smith County High School at Carthage. His work in these positions attracted the notice of the educational authorities, so in 1917 the State Board of Education elected him High School Inspector for the state, which office he filled until appointed State Superintendent. His character, attainments, and record make him highly acceptable to the educational people of Tennessee.

Alvin C. York

The names of other officials appointed by Governor Roberts may be found in the tables of the appendix to this book.

This chapter may be appropriately concluded by a brief sketch of a distinguished Tennesseean, now a member of the governor's staff, by joint resolution of the legislature.

Alvin C. York was born and reared in Fentress County, Tennessee. He was a peaceable citizen who did not approve of war, but when the United States was forced to declare war on Germany, on account of the brutal and inhuman conduct of the Germans, York entered the United States Army, went to France, and was made a sergeant.

In the Argonne Forest, in October, 1918, Sergeant York made himself the most famous enlisted man of the war. In command of a squad of seven men he killed twenty-five Germans, silenced thirty-six machine guns, and took one hundred and thirty-two prisoners, including four officers.

For this remarkable service the French awarded him their highest honor, the Croix de Guerre, and his own government the Congressional Medal of Honor. The legislature of Tennessee gave him a gold medal of honor and the rank of Colonel for life.

From the din of battle and the ovations of admirers Sergeant York has retired to his peaceful home in the village of Pall Mall in his native county.

It seems peculiarly fitting that to Tennessee, whose soldiers turned the tide of the American Revolution at King's Mountain, and which has maintained in every crisis the proud title of the Volunteer State, should have fallen the honor of producing the romantic and inspiring example of Alvin York.

Thousands of other young Tennesseeans rendered distinguished service in the World War. By their valorous deeds they have added some of the most glorious chapters to Tennessee's already proud history. These brave boys are the objects of our great pride and genuine affection.

CHAPTER XLVI

SCHOOLS

In Chapter XVI you have been told of the pioneer schools and of the first academies and colleges in the state. Since that time many schools, both great and small, have grown up in Tennessee. Among the great denominational institutions are the following: University of the South, at Sewanee, an Episcopal school; Vanderbilt University, at Nashville, a Methodist school; South Western Presbyterian University, at Clarksville, a Presbyterian school; Cumberland University, at Lebanon, a Cumberland Presbyterian school; Union University, at Jackson, a Baptist school; Christian Brothers' College, at Memphis, a Catholic school. Besides these there are many special and technical schools and colleges, and many private institutions of every grade.

The great schools for colored people are Fisk University, Central Tennessee College, and Roger Williams University, all at Nashville. These are not all of their schools for higher education, but are the leading ones in endowment, equipment, and numbers attending them.

The great state institutions are as follows: —

1. School for Deaf Mutes, at Knoxville.
2. School for the Blind, at Nashville.
3. Tennessee Industrial School, at Nashville.
4. University of Tennessee, at Knoxville.
5. Peabody Normal College, at Nashville.
6. The Tennessee public schools, all over the state.
7. The four State Normal Schools.

The School for Deaf Mutes, at Knoxville, and the School for the Blind, at Nashville, have been mentioned in Chapter XXIII. Their names show the classes of people for whose education they are intended. They are among the greatest and noblest institutions of the state, and open the way to pleasure and usefulness to boys and girls who

School for the Blind, Nashville

would otherwise become ignorant and dependent men and women.

The Tennessee Industrial School was founded in 1887, chiefly by the generosity of Colonel E. W. Cole, who gave a good farm of about one hundred acres, with good buildings, and $5000 to establish the school. Mr. W. C. Kilvington was made superintendent of this institution, and, from the beginning to the present, it has flourished under his wise and able management. It is a school for

children who have no parents and no homes, though some others who pay for their tuition are admitted. The state makes annual appropriations for the support of the school, and each county is entitled to send a certain number of pupils. It has a reformatory division distinct from the main school. The boys and girls are in separate departments. They spend half days in school, and half days at work on the farm, in the gardens, in the shops, or at domestic duties.

The founding of Blount College, in 1794, has been mentioned in Chapter XVI. There are no written records of the college until 1804. A little after this date we find among the pupils' names Barbara Blount, Polly McClung, Jennie Armstrong, and several others which show that "girls in college" is no new departure in Tennessee.

In 1806 Congress appropriated large grants of land for a state college or colleges. In 1807 this appropriation was combined with the funds of Blount College, forming a state institution. The school was located at Poplar Spring, near Knoxville, and the name was changed to East Tennessee College. In 1826 the college was removed from Poplar Spring to its present site, "Barbara Hill," a piece of ground named in honor of Miss Barbara Blount, daughter of Governor William Blount. In 1840 the name was changed to East Tennessee University.

The school had varying fortunes, usually not very good ones, until the Civil War, when the school suspended. Each army used the buildings at several different times in the course of the war. After the war the Federal government paid the trustees $15,000 for damages done the buildings, grounds, etc. In 1869 the fund appropriated by Congress for establishing an Agricultural and Mechanical College was given to the University, and the Agricultural and Mechanical College was organized as one of its depart-

ments. From small beginnings, after the war, the University has grown to be one of the strongest and best of the South. In 1879 its name was once more changed, and it became the University of Tennessee.

University of Tennessee

George Peabody was born in Danvers, Massachusetts, in 1795. In 1812 he went to Georgetown, Maryland, and became a clerk in a store. In 1815 he went into business for himself in Baltimore. In 1829 he went to London and engaged in the iron trade. In 1837 he became a London banker and soon acquired an immense fortune. In his youth he had little opportunity for schooling, and he resolved that the boys and girls who wished to learn should have better privileges than had fallen to his lot. In 1867 he appointed a board of trustees and gave them $3,500,000,

with instructions to use the interest on this money for the education of the children in the southern states. This is the "Peabody Educational Fund."

Peabody died in 1869, and his body was brought from London to his native land in a British ship of war escorted by an American war vessel as if he had been a president or a king. He deserved this high honor, as he was one of the greatest and best men that ever lived. He made millions upon millions of dollars, and gave the money away to benefit the poor and the needy, and to make people wiser and better. The Peabody Educational Fund was only one of his great gifts. He made many others both in England and America.

From 1872 to 1875 the demand for competent teachers was greater than could be supplied. The trustees of the Peabody Fund had been helping schools all over the state, but had concluded that the best way to help the schools would be to establish a normal college for the training of teachers. In March, 1875, the legislature created the State Board of Education, but gave them no money to establish a normal school. The University of Nashville offered the use of its grounds and buildings, and the Peabody Trustees furnished $12,000. December 1, 1875, Peabody Normal College was opened, with Dr. Eben S. Stearns as its president. At the first session there were only sixty pupils, but the school has grown steadily in favor and usefulness, and is to-day one of the great educational institutions of the South. The first state appropriation was $10,000, made in April, 1881. Since that time the appropriations have been doubled.

In 1909 this school was made an endowed teachers' college. An endowed school is one that owns money that may be loaned or property that may be rented to bring an

income to the school independent of tuition or other fees. The University of Nashville gave to Peabody Normal College the necessary grounds and buildings. The trustees of Peabody Educational Fund gave $1,000,000. The state of Tennessee gave $250,000. The city of Nashville gave $200,000. Davidson County gave $100,000. There are some other gifts not yet made public, and it is known that the college has started its new career with more than $2,000,000.

Peabody Normal College, University of Nashville

The public schools of Tennessee really began in 1873, though there were many "school acts" before that time. The first school tax levied in the state was in 1816, and from that date until 1860 there was almost continuous legislation upon the school question. The legislatures devised elaborate school systems that contained many good features, but always embracing some inefficient or foolish provisions. In 1848 the president and directors of the state bank were made the State Board of Common School Commissioners. At one time the state treasurer was made, *ex officio*, state superintendent; and various

other acts of like character were passed. The result was that the census of 1860 showed that about one fifth of the grown white people of the state had never seen the inside of a schoolhouse.

After the war the condition was worse, as the many good private schools in the state had been forced to suspend, and there had been absolutely no schools for four years. The negroes had been freed, and they were all illiterate. The condition was alarming to all thoughtful people. The legislature of 1867 provided a good school law, but the people were not prepared to make use of it, and the plan failed for lack of popular favor.

From 1865 to 1873 the friends of education worked earnestly for some solution of the difficult problem. Dr. Sears, agent of the Peabody Fund, aided many schools, A. S. Barnes & Co. and D. Appleton & Co. and others gave more than one hundred thousand volumes of schoolbooks, and the State Teachers' Association, organized in July, 1865, put forth its best efforts to advance the cause of popular education.

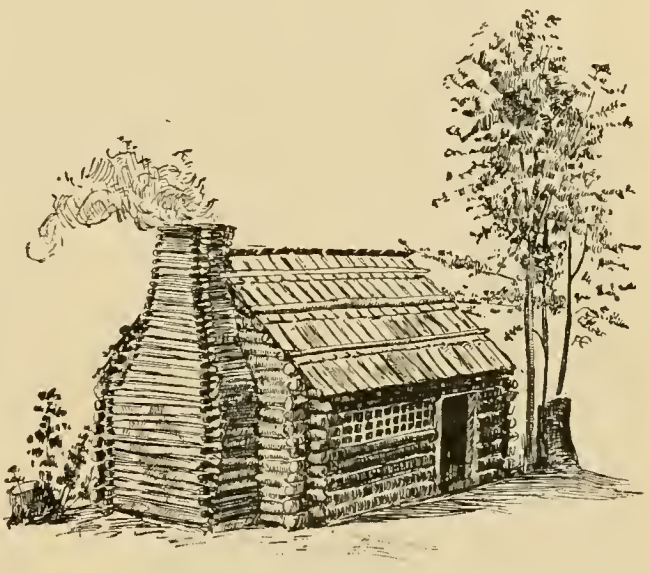
Slowly the prejudice against negro schools and against public schools of all kinds gave way; and slowly the people grew able to build schoolhouses and to spare their children from the fields. In 1872 the State Teachers' Association prepared a bill and memorial to be submitted to the next legislature. With slight changes and amendments this bill became the school law by act of the legislature in March, 1873. The principal provisions of this old law, under which the public schools began, have been given in Chapter XXXIII.

The school law, however, did not at once make good schools. There was an immense amount of work to be done in laying out school districts, building houses, elect-

ing capable school officers, and preparing the minds of the people to receive and adopt a system which was new and strange to most of them, and against which many people had very bitter prejudices.

There are still living a few men and women who were members of the State Teachers' Association in the seventies and were in the "thick of the fight" for establishing the public schools. By the younger members of the Association, these veterans are usually called the "Old Guard." You would be much astonished to hear the Old Guard relate the amusing and provoking incidents of the early days of the public schools. The ignorance, the prejudice, the malice and sophistry, then arrayed against them would now be considered as good evidences of insanity.

The state superintendents held "teachers' institutes" in all parts of the state. The name of these assemblies was understood well enough then, but to the younger generation it is decidedly misleading. They were not summer schools for the instruction of teachers at all. They were really neighborhood mass meetings at which lawyers, doctors, preachers, teachers, and popular orators of all callings made speeches upon educational subjects. They rarely, if ever, continued longer than two days, and were intended to instruct the people and arouse interest in education. They accomplished their purpose, justified the wisdom of their found-



A Davidson County Schoolhouse in 1799

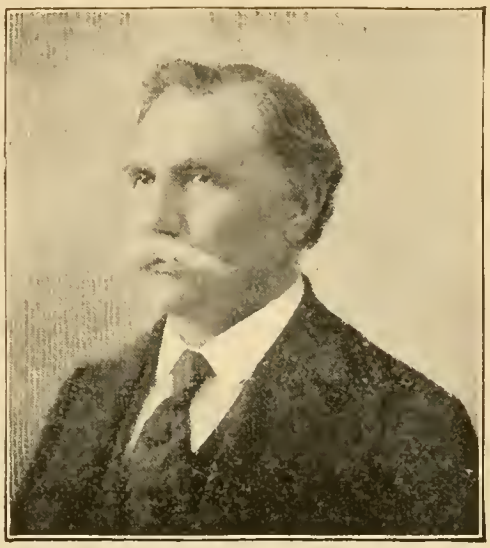
ers, and slowly passed away to be followed by the real teachers' institute in which systematic instruction is given in the science and art of teaching.

Opposition to public schools gradually fell under the telling blows of the institute and the thorough work of the teachers and superintendents. Log shanties and crude appliances have been almost wholly swept away by the onward march of progress, and comfortable, convenient schoolhouses with modern means for instruction are to be seen in every town and most country places. The public schools rest upon the firm basis of popular favor, the whole people have better educational advantages than ever before in the history of the state, and the "Old Guard" feel that their labor has not been in vain.

A Davidson County Schoolhouse in 1899

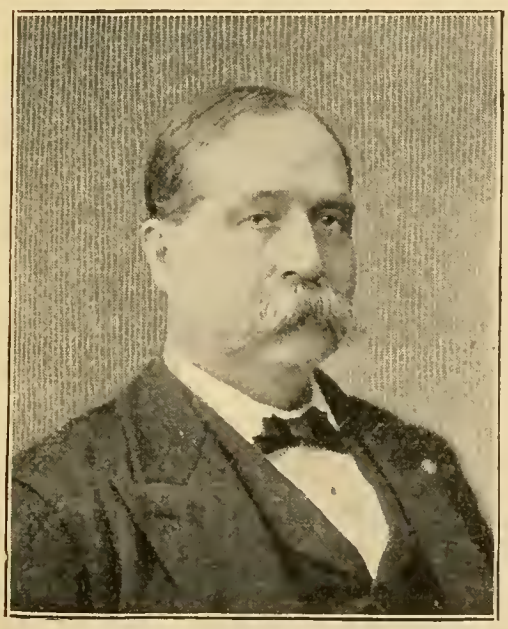
Without in the slightest degree disparaging the services of other gentlemen who have held the office, there are four state superintendents that deserve special mention in con-

Leon Trousdale



Thomas H. Paine

nection with the rise and progress of the public schools. These are Leon Trousdale, Thomas H. Paine, Frank M. Smith, and W. R. Garrett. They were so thoroughly identified with the public school movement from the beginning, so entirely familiar with all of its phases, that when called to the office of state superintendent they were able to accomplish what others probably could not have done. They have so impressed themselves upon the school sys-



Frank M. Smith

W. R. Garrett

tem of the state that their influence must be felt to the end of its history.

WHAT HAVE WE LEARNED?

1. Schools and colleges in 1796.
2. Church schools now in Tennessee.
3. Other schools in the state.
4. Schools for negroes.
5. State schools.
6. School for the deaf and for the blind.
7. Tennessee Industrial School.
8. Girls in Blount College.
9. How did Blount College become a state school?
10. Present location and second change of name.
11. Effects of the war on the university.
12. Agricultrual and Mechanical College fund.
13. Present condition of the university.
14. Sketch of George Peabody until he became wealthy.
15. Why was he so highly honored at his funeral?
16. What is the Peabody Educational Fund?
17. What is a normal school?
18. Founding of Peabody Normal College.
19. Present condition of the College.
20. Real beginning of the public schools of Tennessee.
21. First school tax.
22. School legislation from 1815 to 1860.
23. Educational condition in Tennessee in 1860.
24. Conditions in 1865.
25. The law of 1867.
26. Work done before 1873.
27. The law of 1873. See Chapter XXXIII. for provisions.
28. The work to be done after the law was passed.
29. The "Old Guard."
30. First teachers' institutes.
31. Present condition of public schools.
32. Four famous state superintendents.

CHAPTER XLVII

SCHOOLS — *Continued*

The school law of Tennessee, as adopted in 1873, provided that each county should be divided into school districts, and three school directors chosen in each who should have control of the schools in their respective districts. In a few years there were a great number of little districts, each having its own way about books, teachers, length of school terms, and nearly everything else. One district would have a term of six months, another in the same county would have a term of only three months. Some would pay good salaries and get good teachers, others would employ the cheapest teachers to be had. As no two districts were required to use the same kind of books, they generally used different kinds. Pupils who moved from one district to another frequently had to lay aside every schoolbook they had been using and buy a new set. This was confusing to children and expensive to parents.

When Governor McMillin went into office in 1899, he appointed Morgan C. Fitzpatrick as State Superintendent, and decided that they would make an end to the confusion and trouble about schoolbooks. The governor sent to the legislature his recommendation on this subject, and the result was the "Uniform Text-book Law" mentioned in Chapter XXXVIII. This was the most important school legislation in Governor McMillin's administration. Under the provisions of this law and by the governor's appoint-

ment, the first Text-book Commission was composed as follows: —

Text-book Sub Commission	Text-book Commission
Wharton S. Jones, Chairman	Benton McMillin, President
Charles Mason, Secretary	Morgan C. Fitzpatrick, Secretary
W. N. Billingsly	Charles S. Douglas
F. M. Bowling	Thomas H. Paine
J. G. Stinson	A. D. Wharton

This Commission made contracts for books to be used in all public schools of the state, and to be sold at a fixed price, for five years, beginning September 1, 1899.

Governor Frazier, in the beginning of his term of office in 1903, appointed Seymour A. Mynders of Jackson as State Superintendent. Governor Cox continued this appointment through his administration. Mr. Mynders at once began an educational campaign of the state. With the assistance of Professor P. P. Claxton of the University of Tennessee, and a number of other gentlemen, he held educational meetings in every part of the state and aroused the people to the importance of improving the schools. A law, passed in 1899, authorizing counties to establish and maintain high schools, was brought prominently to the attention of all the people, and counties were urged to use this privilege for the purpose of advancing the standard of public education.

Some very important acts of the legislature in this administration also helped the schools.

The little school districts were abolished and the civil districts of each county were made the school districts. Small schools were thus combined to make larger and better ones. The Montgomery County School Board was

created, and the control of all of the schools in Montgomery County was given to this county board. This made the management of the schools uniform, lengthened the terms, improved the teaching, and reduced the expenses in that county. The school fund was increased by a provision that each year all money remaining in the state treasury, after setting aside enough to meet all obligations of the state, should be given to the public schools. Before this money was divided among all the counties $ 50,000 was to be given to those counties that could not, with reasonable taxation, keep their schools open a profitable length of time in each year.

The contracts for schoolbooks made by the first Text-book Commission expired August 31, 1904. The second Commission, which adopted books and made contracts at fixed prices for them for five years, was composed of the following group of state officials, superintendents, and teachers : —

Text-book Sub Commission	Text-book Commission
A. L. Todd, Chairman	James B. Frazier, President
J. A. Cotten, Secretary	Seymour A. Mynders, Secretary
J. H. Cook	P. L. Harned
W. S. Gass	H. D. Huffaker
A. H. Wright	J. H. Kirkland

The four years of Governor Patterson's administration form a period of great progress in school legislation. The governor and Superintendent Jones devoted their attention especially to the following: 1. Unifying the county school systems. 2. Improving the opportunities for teachers to prepare themselves for their work. 3. Increasing the school fund.

In 1907 a law was passed abolishing the office of district

school director and creating for each county a board of education of five members to be elected by the people of the county. This county board has control of all public school property in the county, employs teachers, fixes salaries, equalizes the length of school terms, and has general supervision of all of the public schools. This unifies the county school system and is one of the best features in our school law.

To have the best teachers, it is necessary to have normal schools for their special education and training, and to offer salaries that will secure the service of the best class of people. Therefore, the governor in 1909, advised the passing of the "General Education Bill," and it is now a law.

This bill provides for establishing and maintaining three normal schools for white teachers and one for colored teachers. It also provides, as amended in 1913, that each year one third of all the money received by the state shall be distributed among the schools. A part is to be given to the University of Tennessee, a part to the normal schools, a part to the county high schools, and the largest part to the common schools. The law contains many other provisions that cannot be given here. It repeals many parts of the former school laws. It relieves the legislature of the duty of making special appropriations at each session for the support of the various schools of the state, and enables school officers to know at the beginning of the year how much money they will receive from the state. All together, it is perhaps the greatest educational act in the laws of Tennessee.

The book contracts made in 1904 expired August 31, 1909. For the purpose of making new adoptions and contracts, Governor Patterson called the third Text-book

Commission to meet in Nashville, June 14. It was as follows: —

Text-book Sub Commission	Text-book Commission
P. A. Lyon, Chairman	Malcolm R. Patterson, President
W. S. Dugger, Secretary	R. L. Jones, Secretary
W. F. Albright	W. N. Billingsly
J. H. Bayer	J. L. Brooks
B. O. Duggan	A. L. Todd

The new series of text-books adopted by the Commission went into use September 1, 1909, and were the school books of Tennessee until September, 1914.

The contracts for public school text-books, made in Governor Patterson's administration, expired August 31, 1914. Governor Hooper called the fourth Text-book Commission to meet in Nashville, March 3, 1914.

This Commission was composed as follows:—

Text-book Sub Commission	Text-book Commission
F. R. Ogilvie, Chairman	Ben W. Hooper, President
M. W. Wilson, Secretary	S. H. Thompson, Secretary
W. T. Robinson	C. C. Hanson
William Hughes	M. H. Gamble
J. E. Rennolds	O. L. McMahan

In June, 1914, these gentlemen completed the work of selecting a series of text-books to be used in the public schools of Tennessee until August 1, 1919.

In May 1919, Governor Roberts appointed as the Fifth Text Book Commission the following named superintendents and teachers: Albert Williams, Chairman; R. L. Harris, Secretary; B. O. Duggan, I. J. Gardner, E. L. Huffines, J. A. Thackston, Miss Charl Williams.

This Commission has selected the books to be used in all public schools in the state from August 1, 1919, to August 1, 1924.

WHAT HAVE WE LEARNED?

1. The bad effects of the old district school system.
2. The action taken by Governor McMillin.
3. Provisions of the Uniform Text-book Law. (Chapter XXXVIII.)
4. Duties of the Sub Commission. Of the Commission.
5. The Mynders educational campaign.
6. The three chief purposes of Governor Patterson and Superintendent Jones.
7. What is a real normal school?
8. The County Board Law.
9. Some of the provisions of the General Education Bill.

CHAPTER XLVIII

CONCLUSION

A STATE under ordinary or natural conditions will be what its people make it. The people compose the state, and it will be good or bad, great or ignoble, according to the conduct of its citizens. The girls and boys who read this book will become the citizens of Tennessee, and the fair fame of their state will be in their keeping. They will become not only citizens of Tennessee, but of the great American Union of States. In this Union Tennessee has borne a glorious part in the past, and her character in the future will be whatever her sons and daughters make it.

In order that we may know something of the grand part that Tennessee has taken in national affairs let us review some of the facts that have already been stated, and add to this review a few others not yet presented.

In 1865 there were thirty-five states in the Union. Fifteen of them were older than Tennessee, thirteen of them had much more wealth and greater population, and five others were nearly her equals in these respects. So we see that in age, wealth, and population Tennessee was about an average state.

There had been seventeen Presidents, or an average of about one President to two states. Tennessee had furnished three of these, Andrew Jackson, 1829 to 1837; James K. Polk, 1845 to 1849; Andrew Johnson, 1865 to 1869. This was six times the number to which she would have been entitled in an equal distribution.

Of Cabinet officers Tennessee has had about three times the average share: George W. Campbell was for a time Secretary of the Treasury under Madison; John H. Eaton was Jackson's first Secretary of War; Felix Grundy was Attorney General under Van Buren; John Bell was W. H. Harrison's Secretary of War; Cave Johnson was Polk's Postmaster General; Aaron V. Brown was Buchanan's first Postmaster General; David M. Key was Postmaster General under Hayes; and Horace Maynard held the same office.

Tennessee has sent abroad more than twice the number of United States ministers to which she was entitled, and, considering her interior position and little connection with foreign affairs, the number is far in excess of that of other states. John H. Eaton was minister to Spain in 1831, William H. Polk to Italy in 1845, Andrew J. Donelson to Germany in 1848, Neill S. Brown to Russia in 1850, William Trousdale to Brazil in 1852, John L. Marling to Venezuela in 1853, James Williams to Turkey in 1858, Allen A. Hall to Bolivia in 1863, Horace Maynard to Turkey in 1875. Besides these she has sent a great number of consuls to foreign ports.

John Bell and James K. Polk were speakers of the national House of Representatives. Hugh L. White and Isham G. Harris were presidents *pro tem.* of the United States Senate. John Catron and Howell E. Jackson were judges of the Supreme Court of the United States.

A Tennessee Postmaster General revolutionized the mailing system of the United States by the introduction of postage stamps during President Polk's administration, and the first telegraphic news message ever sent in America announced the nomination of President Polk.

In war Tennessee has been no less famed than in peace. Sevier and his soldiers turned the tide of the Revolution at Kings Mountain and helped to secure American independence. The Creek War was fought and won by Tennesseeans with almost no aid from other states. In the southern department of the United States, Tennessee furnished most of the soldiers for the War of 1812, and the only general who won national fame. For the Mexican War Tennessee offered ten times her quota of soldiers. In the Civil War there were no better or more earnest and patriotic soldiers in the Federal Army than those from Tennessee. There was never on earth a better assembly of soldiers than the Confederate Army. Tennessee furnished one hundred thousand of these; General Cheatham was called "the bravest of the brave," and General Forrest "the Marshal Ney" of the Confederacy. In the war with Spain Tennesseeans cheerfully volunteered from every section of the state for service under the old flag, and in the West Indies and the far-off Philippine Islands gave proof of their courage and patriotism.

In every department of the Federal government and in every phase of our country's history Tennessee's service has been remarkably great, and her influence out of all proportion to her population, wealth, or local advantages. Only Virginia and Massachusetts have exercised more influence in national affairs.

What have been the causes of this? The long lines of brilliant orators, of sagacious statesmen, of brave soldiers, of wise jurists, of able officers for the army and the navy, of scholarly men and noble women, have not made our state great by accident. They did it by their intellectual force and sterling honesty. They could be trusted because they studied their duties well, and had the courage and

honesty to perform them faithfully. The conduct of her good citizens has made the state famous.

All of this renown is no cause for vainglory or boasting on the part of young Tennesseeans. The fame of the past can do you no good unless you set its noble examples before you as the ideals of your lives. As you close this brief history of a glorious commonwealth, do so with the resolution to be worthy of your grand inheritance of honors bravely won and nobly kept.

WHAT HAVE WE LEARNED?

It is suggested that each pupil be encouraged to get out of this chapter all that he can without the aid of topics made by author or teacher. Let him make his own topics. After this let the teacher point out whatever has escaped the pupil's observation.

The bare facts of any story may be taught by systematic drill. This method, however, would have little value in the teaching of patriotism honor, courage, good manners, or personal and civic virtue.

APPENDIX

CONSTITUTION OF TENNESSEE, 1870

This constitution was framed by a convention which assembled at Nashville, January 10, 1870, and adjourned February 23, 1870; was adopted by a vote of the people of 98,128 for to 33,872 against, on the twenty-sixth day of March, 1870.

Preamble and Declaration.

Whereas, The people of the territory of the United States south of the River Ohio, having the right of admission into the General Government as a member State thereof, consistent with the Constitution of the United States, and the act of cession of the State of North Carolina, recognizing the ordinance for the government of the territory of the United States north-west of the Ohio River, by their delegates and representatives in convention assembled, did, on the sixth day of February, in the year of our Lord one thousand seven hundred and ninety-six, ordain and establish a Constitution or form of government, and mutually agreed with each other to form themselves into a free and independent State, by the name of the State of Tennessee; and,

Whereas, The General Assembly of the said State of Tennessee (pursuant to the third section of the tenth article of the Constitution), by an act passed on the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and thirty-three, entitled "An act to provide for the calling of a convention," passed in obedience to the declared will of the voters of this State, as expressed at the general election of August, in the year of our Lord one thousand eight hundred and thirty-three, did authorize and provide for the election, by the people, of delegates and representatives, to meet at Nashville, in Davidson County, on the third Monday in May, in the year of our Lord one thousand eight hundred and thirty-four, for the purpose of revising and amending or changing the Constitution; and said convention did accordingly meet and form a Constitution, which was submitted to the people, and was ratified by them, on the first Friday in March, in the year of our Lord one thousand eight hundred and thirty-five; and,

Whereas, The General Assembly of said State of Tennessee, under and in virtue of the first section of the first article of the Declaration of Rights, con-

tained in and forming a part of the existing Constitution of the State, by an act passed on the fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-nine, did provide for the calling of a convention by the people of the State, to meet at Nashville on the second Monday in January, in the year of our Lord one thousand eight hundred and seventy, and for the election of delegates for the purpose of amending or revising the present Constitution, or forming and making a new Constitution; and,

Whereas, the people of the State, in the mode provided by said act, have called said convention and elected delegates to represent them therein; now, therefore,

We, the delegates and representatives of the people of the State of Tennessee, duly elected, and in convention assembled, in pursuance of said act of Assembly, have ordained and established the following Constitution and form of government for this State, which we recommend to the people of Tennessee for their ratification; that is to say:

ARTICLE I.

Declaration of Rights.

Section 1. That all power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, and happiness; for the advancement of those ends they have, at all times, an inalienable and indefeasible right to alter, reform, or abolish the government in such manner as they may think proper.

Sec. 2. That government being instituted for common benefit, the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

Sec. 3. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; that no man can of right be compelled to attend, erect, or support any place of worship, or to maintain any minister against his consent; that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given by law to any religious establishment or mode of worship.

Sec. 4. That no political or religious test, other than an oath to support the Constitution of the United States and of this State, shall ever be required as a qualification to any office or public trust under this State.

Sec. 5. That elections shall be free and equal; and the right of suffrage, as hereinafter declared, shall never be denied to any person entitled thereto, except upon a conviction by a jury of some infamous crime, previously ascertained and declared by law, and judgment thereon by a court of competent jurisdiction.

SEC. 6. That the right of trial by jury shall remain inviolate, and no religious or political test shall ever be required as a qualification for jurors.

SEC. 7. That the people shall be secure in their persons, houses, papers, and possessions from unreasonable searches and seizures; and that general warrants, whereby an officer may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offenses are not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

SEC. 8. That no man shall be taken or imprisoned or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner destroyed or deprived of his life, liberty, or property, but by the judgment of his peers or the law of the land.

SEC. 9. That in all criminal prosecutions the accused hath the right to be heard by himself and his counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face; to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indictment or presentment, a speedy public trial by an impartial jury of the county in which the crime shall have been committed, and shall not be compelled to give evidence against himself.

SEC. 10. That no person shall, for the same offense, be twice put in jeopardy of life or limb.

SEC. 11. That laws made for the punishment of acts committed previous to the existence of such laws, and by them only declared criminal, are contrary to the principles of a free government; wherefore no *ex post facto* law shall be made.

SEC. 12. That no conviction shall work corruption of blood or forfeiture of estate. The estate of such persons as shall destroy their own lives shall descend or vest as in case of natural death. If any person be killed by casualty, there shall be no forfeiture in consequence thereof.

SEC. 13. That no person arrested and confined in jail shall be treated with unnecessary rigor.

SEC. 14. That no person shall be put to answer any criminal charge but by presentment, indictment, or impeachment.

SEC. 15. That all prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or the presumption great; and the privileges of the writ of *habeas corpus* shall not be suspended unless when, in case of rebellion or invasion, the General Assembly shall declare the public safety requires it.

SEC. 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

SEC. 17. That all courts shall be open, and every man, for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay. Suits may be brought against the State in such manner and in such courts as the Legislature may by law direct.

SEC. 18. The Legislature shall pass no law authorizing imprisonment for debt in civil cases.

SEC. 19. That the printing presses shall be free to every person to examine the proceedings of the Legislature, or of any branch or officer of the Government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty. But in prosecutions for the publication of papers investigating the official conduct of officers or men in public capacity, the truth thereof may be given in evidence; and in all indictments for libel the jury shall have a right to determine the law and the facts, under the direction of the court, as in other criminal cases.

SEC. 20. That no retrospective law, or law impairing the obligations of contracts, shall be made.

SEC. 21. That no man's particular services shall be demanded, or property taken or applied to public use, without the consent of his representatives, or without just compensation being made therefor.

SEC. 22. That perpetuities and monopolies are contrary to the genius of a free State, and shall not be allowed.

SEC. 23. That the citizens have a right, in a peaceable manner, to assemble together for their common good, to instruct their representatives, and apply to those invested with the powers of government for redress of grievances, or other proper purposes, by address or remonstrance.

SEC. 24. That the sure and certain defense of a free people is a well-regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority.

SEC. 25. That no citizen of this State, except such as are employed in the army of the United States or militia in actual service, shall be subjected to punishment under the martial or military law. That martial law, in the sense of the unrestricted power of military officers or others to dispose of the persons, liberties, or property of the citizen, is inconsistent with the principles of free government, and is not confided to any department of the government of this State.

SEC. 26. That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.

SEC. 27. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner prescribed by law.

SEC. 28. That no citizen of this State shall be compelled to bear arms, provided he will pay an equivalent, to be ascertained by law.

SEC. 29. That an equal participation in the free navigation of the Mississippi is one of the inherent rights of the citizens of this State; it cannot, there-

fore, be conceded to any prince, potentate, power, person or persons whatever.

SEC. 30. That no hereditary emoluments, privileges, or honors, shall be granted or conferred in this State.

SEC. 31. That the limits and boundaries of this State being ascertained, it is declared they are as hereafter mentioned — that is to say: Beginning on the extreme height of the Stone Mountain, at the place where the line of Virginia intersects it, in latitude thirty-six degrees and thirty minutes north; running thence along the extreme height of the said mountain to the place where the Watauga River breaks through it; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain, between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain to the place where Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of said mountain to the Painted Rock, on French Broad River; thence along the highest ridge of said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of said mountain to the place where it is called the Unicoi or Unaka Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this State, as described in the act of cession of North Carolina to the United States of America; and that all the territory, lands, and waters lying west of the said line, as before mentioned, and contained within the chartered limits of the State of North Carolina, are within the boundaries and limits of this State, over which the people have the right of exercising sovereignty, and the right of soil, so far as is consistent with the Constitution of the United States, recognizing the Articles of Confederation, the Bill of Rights, and Constitution of North Carolina, the cession act of the said State, and the ordinance of Congress for the government of the territory north-west of the Ohio; *Provided*, Nothing herein contained shall extend to affect the claim or claims of individuals to any part of the soil which is recognized to them by the aforesaid cession act; *And provided also*, That the limits and jurisdiction of this State shall extend to any other land and territory now acquired, or that may hereafter be acquired, by compact or agreement with other States or otherwise, although such land and territory are not included within the boundaries hereinbefore designated.

SEC. 32. That the erection of safe and comfortable prisons, and inspection of prisons, and the humane treatment of prisoners shall be provided for.

SEC. 33. That slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are forever prohibited in this State.

SEC. 34. The General Assembly shall make no law recognizing the right of property in man.

ARTICLE II.

Distribution of Powers.

Section 1. The powers of the Government shall be divided into three distinct departments: the legislative, executive, and judicial.

Sec. 2. No person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases herein directed or permitted.

The Legislative Department.

Sec. 3. The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both dependent on the people, who shall hold their offices for two years from the day of the general election.

Sec. 4. An enumeration of the qualified voters and an apportionment of the Representatives in the General Assembly shall be made in the year one thousand eight hundred and seventy-one, and within every subsequent term of ten years.

Sec. 5. The number of Representatives shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified voters in each, and shall not exceed seventy-five until the population of the State shall be one million and a half, and shall never exceed ninety-nine; *Provided*, That any county having two-thirds of the ratio shall be entitled to one member.

Sec. 6. The number of Senators shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified electors in each, and shall not exceed one-third the number of Representatives. In apportioning the Senators among the different counties the fraction that may be lost by any county or counties in apportionment of members to the House of Representatives shall be made up to such county or counties in the Senate as near as may be practicable. When a district is composed of two or more counties they shall be adjoining, and no counties shall be divided in forming a district.

Sec. 7. The first election for Senators and Representatives shall be held on the second Tuesday in November, one thousand eight hundred and seventy; and forever thereafter elections for members of the General Assembly shall be held once in two years, on the first Tuesday after the first Monday in November. Said elections shall terminate the same day.

Sec. 8. The first session of the General Assembly shall commence on the first Monday in October, 1871, at which time the term of service of the members shall commence, and expire on the first Tuesday of November, 1872, at which session the Governor elected on the second Tuesday in November, 1870, shall be inaugurated; and forever thereafter the General Assembly shall

meet on the first Monday in January next ensuing the election, at which session thereof the Governor shall be inaugurated.

SEC. 9. No person shall be a Representative unless he shall be a citizen of the United States, of the age of twenty-one years, and shall have been a citizen of this State for three years and a resident in the county he represents one year immediately preceding the election.

SEC. 10. No person shall be a Senator unless he shall be a citizen of the United States, of the age of thirty years, and shall have resided three years in this State and one year in the county or district immediately preceding the election. No Senator or Representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointment to which is vested in the Executive or General Assembly, except to the office of trustee of a literary institution.

SEC. 11. The Senate and House of Representatives, when assembled, shall each choose a Speaker and its other officers; be judges of the qualifications and election of its members, and sit upon its own adjournments from day to day. Not less than two-thirds of all the members to which each House shall be entitled shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized by law to compel the attendance of absent members.

SEC. 12. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same offense; and shall have all other powers necessary for a branch of the Legislature of a free State.

SEC. 13. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

SEC. 14. Each House may punish by imprisonment, during its session, any person not a member, who shall be guilty of disrespect to the House by any disorderly or contemptuous behavior in its presence.

SEC. 15. When vacancies happen in either House the Governor for the time being shall issue writs of election to fill such vacancies.

SEC. 16. Neither House shall, during its session, adjourn without the consent of the other for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 17. Bills may originate in either House, but may be amended, altered, or rejected by the other. No bill shall become a law which embraces more than one subject, that subject to be expressed in the title. All acts which repeal, revive, or amend former laws, shall recite in their caption, or otherwise, the title or substance of the law repealed, revived, or amended.

SEC. 18. Every bill shall be read once on three different days, and be passed each time in the House where it originated before transmission to the other. No bill shall become a law until it shall have been read and

passed, on three different days, in each House, and shall have received on its final passage, in each House, the assent of a majority of all the members to which that House shall be entitled under the Constitution; and shall have been signed by the respective Speakers in open session — the fact of such signing to be noted on the journal; and shall have received the approval of the Governor, or shall have been otherwise passed under the provisions of this Constitution.

SEC. 19. After a bill has been rejected, no bill containing the same substance shall be passed into a law during the same session.

SEC. 20. The style of the laws of the State shall be: "*Be it enacted by the General Assembly of the State of Tennessee.*" No law of a general nature shall take effect until forty days after its passage, unless the same or the caption thereof shall state that the public welfare requires that it should take effect sooner.

SEC. 21. Each House shall keep a journal of its proceedings, and publish it, except such parts as the welfare of the State may require to be kept secret; the ayes and noes shall be taken in each House upon the final passage of every bill of a general character, and bills making appropriations of public moneys; and the ayes and noes of the members on any question shall, at the request of five of them, be entered on the journal.

SEC. 22. The doors of each House and of committees of the whole shall be kept open, unless when the business shall be such as ought to be kept secret.

SEC. 23. The sum of four dollars per day, and four dollars for every twenty-five miles traveling to and from the seat of government, shall be allowed to each member of the General Assembly elected after the ratification of this Constitution, as a compensation for their services. But no member shall be paid for more than seventy-five days of a regular session, or for more than twenty days of an extra or called session; or for any day when absent from his seat in his Legislature, unless physically unable to attend. The Senators, when sitting as a court of impeachment, shall each receive four dollars per day of actual attendance.

SEC. 24. No money shall be drawn from the treasury but in consequence of appropriations made by law; and an accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at the rise of each stated session of the General Assembly.

SEC. 25. No person who heretofore hath been, or may hereafter be, a collector or holder of public moneys, shall have a seat in either House of the General Assembly, or hold any other office under the State government, until such person shall have accounted for and paid into the treasury all sums for which he may be accountable or liable.

SEC. 26. No Judge of any court of law or equity, Secretary of State, Attorney-general, Register, Clerk of any court of record, or person holding any office under the authority of the United States, shall have a seat in the General Assembly, nor shall any person in this State hold more than one lucrative office at the same time; *Provided*, that no appointment in the militia, or to the office of Justice of the Peace, shall be considered a lucrative

office, or operative as a disqualification to a seat in either House of the General Assembly.

SEC. 27. Any member of either House of the General Assembly shall have liberty to dissent from and protest against any act or resolve which he may think injurious to the public or to any individual, and to have the reason for his dissent entered on the journals.

SEC. 28. All property, real, personal, or mixed, shall be taxed, but the Legislature may except such as may be held by the State, by counties, cities, or towns, and used exclusively for public or corporation purposes, and such as may be held and used for purposes purely religious, charitable, scientific, literary, or educational, and shall except one thousand dollars' worth of personal property in the hands of each tax-payer, and the direct product of the soil in the hands of the producer and his immediate vendee. All property shall be taxed according to its value, that value to be ascertained in such manner as the Legislature shall direct, so that taxes shall be equal and uniform throughout the State. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of the same value. But the Legislature shall have power to tax merchants, peddlers, and privileges in such manner as they may from time to time direct. The portion of a merchant's capital used in the purchase of merchandise sold by him to non-residents and sent beyond the State, shall not be taxed at a rate higher than the *ad valorem* tax on property. The Legislature shall have the power to levy a tax upon incomes derived from stocks and bonds that are not taxed *ad valorem*. All male citizens of this State over the age of twenty-one years, except such persons as may be exempted by law on account of age or other infirmity, shall be liable to a poll-tax of not less than fifty cents nor more than one dollar per annum. Nor shall any county or corporation levy a poll-tax exceeding the amount levied by the State.

SEC. 29. The General Assembly shall have power to authorize the several counties and incorporated towns in this State to impose taxes for county and corporation purposes respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, upon the principles established in regard to State taxation. But the credit of no county, city, or town shall be given or loaned to or in aid of any person, company, association, or corporation, except upon an election to be first held by the qualified voters of such county, city, or town, and the assent of three-fourths of the votes cast at said election. Nor shall any county, city, or town become a stockholder with others in any company, association, or corporation, except upon a like election and the assent of a like majority. But the counties of Grainger, Hawkins, Hancock, Union, Campbell, Scott, Morgan, Grundy, Sumner, Smith, Fentress, Van Buren, and the new county herein authorized to be established out of fractions of Sumner, Macon, and Smith Counties; White, Putnam, Overton, Jackson, Cumberland, Anderson, Henderson, Wayne, Cocke, Coffee, Macon, Marshall, and Roane shall be exempted out of the provisions of this section, so far that the assent of a majority of the qualified

voters of either of said counties voting on the question shall be sufficient, when the credit of such county is given or loaned to any person, association, or corporation ; *Provided*, That the exception of the counties above named shall not be in force beyond the year one thousand eight hundred and eighty, and after that period they shall be subject to the three-fourths majority applicable to the other counties of the State.

SEC. 30. No article manufactured of the produce of this State shall be taxed otherwise than to pay inspection fees.

SEC. 31. The credit of this State shall not be hereafter loaned or given to or in aid of any person, association, company, corporation, or municipality; nor shall the State become the owner, in whole or in part, of any bank, or a stockholder with others in any association, company, corporation, or municipality.

SEC. 32. No convention or General Assembly of this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States, unless such convention or General Assembly shall have been elected after such amendment is submitted.

SEC. 33. No bonds of the State shall be issued to any railroad company which at the time of its application for the same shall be in default in paying the interest upon the State bonds previously loaned to it, or that shall hereafter and before such application, sell or absolutely dispose of any State bonds loaned to it for less than par.

ARTICLE III.

EXECUTIVE DEPARTMENT.

SECTION 1. The supreme executive power of this State shall be vested in a Governor.

SEC. 2. The Governor shall be chosen by the electors of the members of the General Assembly at the time and places where they shall respectively vote for the members thereof. The returns of every election for Governor shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the Senate, who shall open and publish them in the presence of a majority of the members of each House of the General Assembly. The person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, one of them shall be chosen Governor by joint vote of both Houses of the General Assembly. Contested elections for Governor shall be determined by both houses of the General Assembly, in such manner as shall be prescribed by law.

SEC. 3. He shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this State seven years next before his election.

SEC. 4. The Governor shall hold his office for two years, and until his successor shall be elected and qualified. He shall not be eligible more than six years in any term of eight.

SEC. 5. He shall be commander-in-chief of the army and navy of the State, and of the militia, except when they shall be called into the service of the United States; but the militia shall not be called into service except in case of rebellion or invasion, and then only when the General Assembly shall declare by law that the public safety requires it.

SEC. 6. He shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment.

SEC. 7. He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the period for which he shall have been elected.

SEC. 8. He may require information, in writing, from the officers in the executive department upon any subject relating to the duties of their respective offices.

SEC. 9. He may, on extraordinary occasions, convene the General Assembly by proclamation, in which he shall state specifically the purposes for which they are to convene; but they shall enter on no legislative business except that for which they were specifically called together.

SEC. 10. He shall take care that the laws be faithfully executed.

SEC. 11. He shall, from time to time, give to the General Assembly information of the state of the government, and recommend for their consideration such measures as he shall judge expedient.

SEC. 12. In case of the removal of the Governor from office, or of his death or resignation, the powers and duties of the office shall devolve on the Speaker of the Senate; and in case of the death, removal from office, or resignation of the Speaker of the Senate, the powers and duties of the office shall devolve on the Speaker of the House of Representatives.

SEC. 13. No member of Congress, or person holding any office under the United States, or this State, shall execute the office of Governor.

SEC. 14. When any officer, the right of whose appointment is by this Constitution vested in the General Assembly, shall, during the recess, die, or the office, by the expiration of the term, or by other means, become vacant, the Governor shall have the power to fill such vacancy by granting a temporary commission, which shall expire at the end of the next session of the Legislature.

SEC. 15. There shall be a seal of this State, which shall be kept by the Governor and used by him officially, and shall be called the Great Seal of the State of Tennessee.

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Tennessee, be sealed with the State seal, and signed by the Governor.

SEC. 17. A Secretary of State shall be appointed by joint vote of the General Assembly, and commissioned during the term of four years. He shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes, and vouchers relative thereto, before the General Assembly; and shall perform such other duties as shall be enjoined by law.

SEC. 18. Every bill which may pass both Houses of the General Assembly shall, before it becomes a law, be presented to the Governor for his signature. If he approve, he shall sign it, and the same shall become a law; but if he refuse to sign it, he shall return it, with his objections thereto in writing, to the House in which it originated, and said House shall cause said objections to be entered at large upon its journals, and proceed to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that House shall agree to pass the bill notwithstanding the objections of the Executive, it shall be sent, with said objections, to the other House, by which it shall be likewise reconsidered. If approved by a majority of the whole number elected to that House, it shall become a law. The votes of both Houses shall be determined by yeas and nays, and the names of all the members voting for or against the bill shall be entered upon the journals of their respective Houses. If the Governor shall fail to return any bill with his objections, within five days (Sunday excepted) after it shall have been presented to him, the same shall become a law without his signature, unless the General Assembly, by its adjournment, prevents its return, in which case it shall not become a law. Every joint resolution or order, except on questions of adjournment, shall likewise be presented to the Governor for his signature, and before it shall take effect shall receive his signature, and on being disapproved by him, shall in like manner be returned with his objections; and the same, before it shall take effect, shall be repassed by a majority of all the members elected to both Houses, in the manner and according to the rules prescribed in case of a bill.

ARTICLE IV.

ELECTIONS.

SECTION 1. Every male person of the age of twenty-one years, being a citizen of the United States, and a resident of this State for twelve months, and of the county wherein he may offer his vote for six months next preceding the day of election, shall be entitled to vote for members of the General Assembly and other civil officers for the county or district in which he resides; and there shall be no qualification attached to the right of suffrage except that each voter shall give the judges of election where he offers to vote satisfactory evidence that he has paid the poll-taxes assessed against him for such preceding period as the Legislature shall prescribe, and at such time as may be prescribed by law, without which his vote cannot be received. And all male citizens of the State shall be subject to the payment of poll-taxes and the performance of military duty within such ages as may be prescribed by law. The General Assembly shall have power to enact laws requiring voters to vote in the election precincts in which they may reside, and laws to secure the freedom of elections and the purity of the ballot-box.

SEC. 2. Laws may be passed excluding from the right of suffrage persons who may be convicted of infamous crimes.

SEC. 3. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest or summons during their attendance at elections, and in going to and returning from them.

SEC. 4. In all elections to be made by the General Assembly the members thereof shall vote *viva voce*, and their votes shall be entered on the journal. All other elections shall be by ballot.

ARTICLE V.

IMPEACHMENT.

SECTION 1. The House of Representatives shall have the sole power of impeachment.

SEC. 2. All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation, and the Chief Justice of the Supreme Court, or, if he be on trial, the senior Associate Judge, shall preside over them. No person shall be convicted without the concurrence of two-thirds of the Senators sworn to try the officer impeached.

SEC. 3. The House of Representatives shall elect from their own body three members whose duty it shall be to prosecute impeachments. No impeachment shall be tried until the Legislature shall have adjourned *sine die*, when the Senate shall proceed to try such impeachment.

SEC. 4. The Governor, Judges of the Supreme Court, Judges of the inferior courts, Chancellors, Attorneys for the State, Treasurer, Comptroller, and Secretary of State shall be liable to impeachment whenever they may, in the opinion of the House of Representatives, commit any crime in their official capacity which may require disqualification; but judgment shall only extend to removal from office and disqualification to fill any office thereafter. The party shall, nevertheless, be liable to indictment, trial, judgment, and punishment according to law. The Legislature now has, and shall continue to have, power to relieve from the penalties imposed any person disqualified from holding office by the judgment of a court of impeachment.

SEC. 5. Justices of the Peace, and other civil officers not hereinbefore mentioned, for crimes or misdemeanors in office, shall be liable to indictment in such courts as the Legislature may direct; and, upon conviction, shall be removed from office by said court as if found guilty on impeachment, and shall be subject to such other punishment as may be prescribed by law.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of this State shall be vested in one Supreme Court and in such circuit, chancery, and other inferior courts as the Legislature shall from time to time ordain and establish in the Judges thereof and in

Justices of the Peace. The Legislature may also vest such jurisdiction in corporation courts as may be deemed necessary. Courts to be holden by Justices of the Peace may also be established.

SEC. 2. The Supreme Court shall consist of five Judges, of whom not more than two shall reside in any one of the grand divisions of the State. The Judges shall designate one of their own number who shall preside as Chief Justice. The concurrence of three of the Judges shall, in every case, be necessary to a decision. The jurisdiction of this court shall be appellate only, under such restrictions and regulations as may from time to time be prescribed by law; but it may possess such other jurisdiction as is now conferred by law on the present Supreme Court. Said court shall be held at Knoxville, Nashville, and Jackson.

SEC. 3. The Judges of the Supreme Court shall be elected by the qualified voters of the State. The Legislature shall have power to prescribe such rules as may be necessary to carry out the provisions of Section 2 of this Article. Every Judge of the Supreme Court shall be thirty-five years of age, and shall, before the election, have been a resident of the State for five years. His term of service shall be eight years.

SEC. 4. The Judges of the Circuit and Chancery Courts, and of other inferior courts, shall be elected by the qualified voters of the district or circuit to which they are to be assigned. Every Judge of such courts shall be thirty years of age, and shall, before his election, have been a resident of the State five years, and of the circuit or district one year. His term of service shall be eight years.

SEC. 5. An Attorney-general and Reporter for the State shall be appointed by the Judges of the Supreme Court, and shall hold his office for a term of eight years. An Attorney for the State for any circuit or district for which a Judge having criminal jurisdiction shall be provided by law shall be elected by the qualified voters of such circuit or district, and shall hold his office for a term of eight years, and shall have been a resident of the State five years, and of the circuit or district one year. In all cases where the Attorney for any district fails or refuses to attend and prosecute according to law, the court shall have power to appoint an Attorney *pro tempore*.

SEC. 6. Judges and Attorneys for the State may be removed from office by a concurrent vote of both Houses of the General Assembly, each House voting separately; but two-thirds of the members to which each House may be entitled must concur in such vote. The vote shall be determined by ayes and noes, and the names of the members voting for or against the Judge or Attorney for the State, together with the cause or causes of removal, shall be entered on the journal of each House respectively. The Judge or Attorney for the State against whom the Legislature may be about to proceed, shall receive notice thereof, accompanied with a copy of the causes alleged for his removal, at least ten days before the day on which either House of the General Assembly shall act thereupon.

SEC. 7. The Judges of the supreme or inferior courts shall, at stated times,

receive a compensation for their services, to be ascertained by law, which shall not be increased or diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any office of trust or profit under this State or the United States.

SEC. 8. The jurisdiction of the circuit, chancery, and other inferior courts shall be as now established by law until changed by the Legislature.

SEC. 9. Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

SEC. 10. Judges or justices of the inferior courts of law and equity shall have power in all civil cases to issue writs of *certiorari* to remove any cause, or the transcript of the record thereof, from any inferior jurisdiction into such court of law, on sufficient cause, supported by oath or affirmation.

SEC. 11. No Judge of the supreme or inferior courts shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity or consanguinity, within such degrees as may be prescribed by law, or in which he may have been of counsel, or in which he may have presided in any inferior court, except by consent of all the parties. In case all or any of the Judges of the Supreme Court shall thus be disqualified from presiding on the trial of any cause or causes, the court, or the Judges thereof, shall certify the same to the Governor of the State, and he shall forthwith specially commission the requisite number of men of law knowledge for the trial and determination thereof. The Legislature may, by general laws, make provision that special Judges may be appointed to hold any court the Judge of which shall be unable or fail to attend or sit, or to hear any cause in which the Judge may be incompetent.

SEC. 12. All writs and other process shall run in the name of the State of Tennessee, and bear test and be signed by the respective Clerks. Indictments shall conclude: "*Against the peace and dignity of the State.*"

SEC. 13. Judges of the Supreme Court shall appoint their Clerks, who shall hold their offices for six years. Chancellors shall appoint their Clerks and Masters, who shall hold their offices for six years. Clerks of the inferior courts, holden in the respective counties or districts, shall be elected by the qualified voters thereof, for the term of four years. Any Clerk may be removed from office for malfeasance, incompetency, or neglect of duty, in such manner as may be prescribed by law.

SEC. 14. No fine shall be laid on any citizen of this State that shall exceed fifty dollars, unless it shall be assessed by a jury of his peers, who shall assess the fine at the time they find the fact, if they think the fine should be more than fifty dollars.

SEC. 15. The different counties of this State shall be laid off, as the General Assembly may direct, into districts of convenient size, so that the whole number in each county shall not be more than twenty-five, or four for every one hundred square miles. There shall be two Justices of the Peace and one Constable elected in each district by the qualified voters therein, except districts including county towns, which shall elect three Justices and two Con-

stables. The jurisdiction of said officers shall be co-extensive with the county. Justices of the Peace shall be elected for the term of six and Constables for the term of two years. Upon the removal of either of said officers from the district in which he was elected his office shall become vacant from the time of such removal. Justices of the Peace shall be commissioned by the Governor. The Legislature shall have power to provide for the appointment of an additional number of Justices of the Peace in incorporated towns.

ARTICLE VII.

State and County Officers.

Section 1. There shall be elected in each county, by the qualified voters therein, one Sheriff, one Trustee, one Register — the Sheriff and Trustee for two years and the Register for four years; but no person shall be eligible to the office of Sheriff more than six years in any term of eight years. There shall be elected for each county, by the Justices of the Peace, one Coroner, and one Ranger, who shall hold their offices for two years. Said officers shall be removed for malfeasance or neglect of duty, in such manner as may be prescribed by law.

Sec. 2. Should a vacancy occur subsequent to an election in the office of Sheriff, Trustee, or Register, it shall be filled by the Justices; if in that of the Clerk to be elected by the people, it shall be filled by the courts; and the person so appointed shall continue in office until his successor shall be elected and qualified; and such office shall be filled by the qualified voters at the first election for any of the county officers.

Sec. 3. There shall be a Treasurer or Treasurers and a Comptroller of the Treasury, appointed for the State by the joint vote of both Houses of the General Assembly, who shall hold their offices for two years.

Sec. 4. The election of all officers and the filling of all vacancies not otherwise directed or provided by this Constitution shall be made in such manner as the Legislature shall direct.

Sec. 5. Elections for judicial and other civil officers shall be held on the first Thursday in August, one thousand eight hundred and seventy, and forever thereafter on the first Thursday in August next preceding the expiration of their respective terms of service. The term of each officer so elected shall be computed from the first day of September next succeeding his election. The term of office of the Governor and other executive officers shall be computed from the fifteenth of January next after the election of the Governor. No appointment or election to fill a vacancy shall be made for a period extending beyond the unexpired term. Every officer shall hold his office until his successor is elected or appointed and qualified. No special election shall be held to fill a vacancy in the office of Judge or District Attorney but at the time herein fixed for the biennial term of civil officers; and such vacancy shall be filled at the next biennial election recurring more than thirty days after the vacancy occurs.

ARTICLE VIII.

Militia.

Section 1. All militia officers shall be elected by persons subject to military duty within the bounds of their several companies, battalions, regiments, brigades, and divisions, under such rules and regulations as the Legislature may, from time to time, direct and establish.

Sec. 2. The Governor shall appoint the Adjutant-general and his other staff officers; the Majors-general, Brigadiers-general, and commanding officers of regiments, shall respectively appoint their staff officers.

Sec. 3. The Legislature shall pass laws exempting citizens belonging to any sect or denomination of religion, the tenets of which are known to be opposed to the bearing of arms, from attending private and general musters.

ARTICLE IX.

Disqualifications.

Section 1. Whereas, ministers of the gospel are, by their profession, dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions; therefore, no minister of the gospel, or priest of any denomination whatever, shall be eligible to a seat in either House of the Legislature.

Sec. 2. No person who denies the being of God, or a future state of rewards and punishments, shall hold any office in the civil department of this State.

Sec. 3. Any person who shall, after the adoption of this Constitution, fight a duel, or knowingly be the bearer of a challenge to fight a duel, or send or accept a challenge for that purpose, or be an aider or abettor in fighting a duel, shall be deprived of the right to hold any office of honor or profit in this State, and shall be punished otherwise, in such manner as the Legislature may prescribe.

ARTICLE X.

Oaths — Bribery of Electors — New Counties.

Section 1. Every person who shall be chosen or appointed to any office of trust or profit under this Constitution, or any law made in pursuance thereof, shall, before entering upon the duties thereof, take an oath to support the Constitution of this State and of the United States, and an oath of office.

Sec. 2. Each member of the Senate and House of Representatives shall. before they proceed to business, take an oath or affirmation to support the Constitution of this State and of the United States, and also the following

oath: "I, ——, do solemnly swear (or affirm) that, as a member of this General Assembly, I will, in all appointments, vote without favor, affection, partiality, or prejudice; and that I will not propose or assent to any bill, vote, or resolution which shall appear to me injurious to the people, or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges as declared by the Constitution of this State."

SEC. 3. Any elector who shall receive any gift or reward for his vote, in meat, drink, money, or otherwise, shall suffer such punishment as the laws shall direct; and any person who shall, directly or indirectly, give, promise, or bestow any such reward to be elected, shall thereby be rendered incapable for six years to serve in the office for which he was elected, and be subject to such further punishment as the Legislature shall direct.

SEC. 4. New counties may be established by the Legislature, to consist of not less than two hundred and seventy-five square miles, and which shall contain a population of seven hundred qualified voters. No line of such county shall approach the court-house of any old county from which it may be taken nearer than eleven miles, nor shall such old county be reduced to less than five hundred square miles; but the following exceptions are made to the foregoing provisions, viz.: New counties may be established by the present or any succeeding Legislature out of the following territory, to wit: Out of that portion of Obion County which lies west of the low-water mark of Reelfoot Lake; out of fractions of Sumner, Macon, and Smith Counties, but no line of such new county shall approach the court-house of Sumner and Smith Counties nearer than ten miles, nor include any part of Macon County lying within nine and a half miles of the court-house of said county, nor shall more than twenty square miles of Macon County, nor any part of Sumner County lying due west of the western boundary of Macon County, be taken in the formation of said new county; out of fractions of Grainger and Jefferson Counties, but no line of such new county shall include any part of Grainger County north of the Holston River, nor shall any line thereof approach the court-house of Jefferson County nearer than eleven miles (such new county may include any other territory which is not excluded by any general provision of this Constitution); out of fractions of Jackson and Overton Counties, but no line of such new county shall approach the court-house of Jackson or Overton Counties nearer than ten miles, nor shall such county contain less than four hundred qualified voters, nor shall the area of either of the old counties be reduced below four hundred and fifty square miles; out of fractions of Roane, Monroe, and Blount Counties, around the town of Loudon, but no line of such new county shall ever approach the towns of Maryville, Kingston, or Madisonville nearer than eleven miles, except that on the south side of the Tennessee River said lines may approach as near as ten miles to the court-house of Roane County. The counties of Lewis, Cheatham, and Sequatchie, as now established by legislative enactments, are hereby declared to be constitutional counties. No part of Bledsoe County shall be taken to

form a new county, or a part thereof, or be attached to any adjoining county. That portion of Marion County included within the following boundaries: Beginning on the Grundy and Marion County line at the Nick-a-jack Trace, and running about six hundred yards west of Ben. Posey's to where the Tennessee Coal Railroad crosses the line ; running thence southeast through the Pocket, near William Summers', crossing the Battle Creek Gulf at the corner of Thomas Wooten's field ; thence running across the Little Gizzard Gulf to Raven Point ; thence in a direct line to the bridge crossing the Big Fiery Gizzard ; thence in a direct line to the mouth of Holy Water Creek ; thence up said creek to the Grundy County line, and thence with said line to the beginning, is hereby detached from Marion County and attached to the County of Grundy. No part of a county shall be taken off to form a new county, or a part thereof, without the consent of two-thirds of the qualified voters in such part taken off ; and where an old county is reduced for the purpose of forming a new one, the seat of justice in said old county shall not be removed without the concurrence of two-thirds of both branches of the Legislature ; nor shall the seat of justice of any county be removed without the concurrence of two-thirds of the qualified voters of the county. But the foregoing provision requiring a two-thirds majority of the voters of a county to remove its county seat, shall not apply to the counties of Obion and Cocke. The fractions taken from old counties to form new counties, or taken from one county and added to another, shall continue liable for their *pro rata* of all debts contracted by their respective counties prior to the separation, and be entitled to their proportion of any stocks or credits belonging to such old counties.

SEC. 5. The citizens who may be included in any new county shall vote with the county or counties from which they may have been stricken off for members of Congress, for Governor, and for members of the General Assembly, until the next apportionment of members of the General Assembly after the establishment of such new county.

ARTICLE XI.

MISCELLANEOUS PROVISIONS.

SECTION 1. All laws and ordinances now in force and use in this State, not inconsistent with this Constitution, shall continue in force and use until they shall expire, or be altered or repealed by the Legislature. But ordinances contained in any former Constitution or schedule thereto are hereby abrogated.

SEC. 2. Nothing contained in this Constitution shall impair the validity of any debts or contracts, or affect any rights of property, or any suits, actions, rights of action, or other proceedings in courts of justice.

SEC. 3. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives; and if the same shall be agreed to by a majority of all the members elected to each of the two

Houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays thereon, and referred to the General Assembly then next to be chosen, and shall be published six months previous to the time of making such choice; and if, in the General Assembly then next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by two-thirds of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner and at such times as the General Assembly shall prescribe. And if the people shall approve and ratify such amendment or amendments by a majority of all the citizens of the State voting for Representatives voting in their favor, such amendment or amendments shall become a part of this Constitution. When any amendment or amendments to the Constitution shall be proposed in pursuance of the foregoing provisions, the same shall, at each of the said sessions, be read three times on three several days in each House. The Legislature shall not propose amendments to the Constitution oftener than once in six years. The Legislature shall have the right, at any time, by law, to submit to the people the question of calling a convention to alter, reform, or abolish this Constitution; and when, upon such submission, a majority of all the votes cast shall be in favor of said proposition, then delegates shall be chosen, and the convention shall assemble in such mode and manner as shall be prescribed.

SEC. 4. The Legislature shall have no power to grant divorces, but may authorize the courts of justice to grant them for such causes as may be specified by law; but such laws shall be general and uniform in their operation throughout the State.

SEC. 5. The Legislature shall have no power to authorize lotteries for any purpose, and shall pass laws to prohibit the sale of lottery tickets in this State.

SEC. 6. The Legislature shall have no power to change the names of persons, or to pass acts adopting or legitimatizing persons, but shall, by general laws, confer this power on the courts.

SEC. 7. The Legislature shall fix the rate of interest, and the rate so established shall be equal and uniform throughout the State; but the Legislature may provide for a conventional rate of interest, not to exceed ten per cent. per annum.

SEC. 8. The Legislature shall have no power to suspend any general law for the benefit of any particular individuals, nor to pass any law for the benefit of individuals inconsistent with the general laws of the land; nor to pass any law granting to any individual or individuals rights, privileges, immunities, or exemptions other than such as may be by the same law extended to any member of the community who may be able to bring himself within the provisions of such law. No corporation shall be created, or its powers increased or diminished by special laws, but the General Assembly shall provide by general laws for the organization of all corporations hereafter created, which laws may at any time be altered or repealed; and no such alteration or repeal shall interfere with or divest rights which have become vested.

SEC. 9. The Legislature shall have the right to vest such powers in the courts of justice, with regard to private and local affairs, as may be expedient.

SEC. 10. A well-regulated system of internal improvement is calculated to develop the resources of the State and promote the happiness and prosperity of her citizens; therefore it ought to be encouraged by the General Assembly.

SEC. 11. A homestead in the possession of each head of a family, and the improvements thereon to the value, in all, of one thousand dollars shall be exempt from sale under legal process during the life of such head of a family, to inure to the benefit of the widow, and shall be exempt during the minority of their children occupying the same. Nor shall said property be alienated without the joint consent of the husband and wife when that relation exists. This exemption shall not operate against public taxes, nor debts contracted for the purchase-money of such homestead or improvements thereon.

SEC. 12. Knowledge, learning, and virtue being essential to the preservation of republican institutions, and the diffusion of the opportunities and advantages of education throughout the different portions of the State being highly conducive to the promotion of this end, it shall be the duty of the General Assembly in all future periods of this Government, to cherish literature and science. And the fund called the common school fund, and all the lands and proceeds thereof, dividends, stocks, and other property of every description whatever, heretofore by law appropriated by the General Assembly of this State for the use of common schools, and all such as shall hereafter be appropriated, shall remain a perpetual fund, the principal of which shall never be diminished by legislative appropriation; and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of all the people thereof; and no law shall be made authorizing said fund, or any part thereof, to be diverted to any other use than the support and encouragement of common schools. The State taxes derived hereafter from polls shall be appropriated to educational purposes, in such manner as the General Assembly shall, from time to time, direct by law. No school established or aided under this section shall allow white and negro children to be received as scholars together in the same school. The above provisions shall not prevent the Legislature from carrying into effect any laws that have been passed in favor of the colleges, universities, or academies, or from authorizing heirs or distributees to receive and enjoy escheated property under such laws as may be passed from time to time.

SEC. 13. The General Assembly shall have power to enact laws for the protection and preservation of game and fish within the State, and such laws may be enacted for and applied and enforced in particular counties or geographical districts designated by the General Assembly.

SEC. 14. The intermarriage of white persons with negroes, mulattoes, or persons of mixed blood, descended from a negro to the third generation, inclusive, or their living together as man and wife, in this State, is prohibited. The Legislature shall enforce this section by appropriate legislation.

SEC. 15. No person shall, in time of peace, be required to perform any service to the public on any day set apart by his religion as a day of rest.

SEC. 16. The declaration of rights, hereto prefixed, is declared to be a part of the Constitution of this State, and shall never be violated on any pretense whatever. And to guard against transgression of the high powers we have delegated, we declare that everything in the bill of rights contained is excepted out of the general powers of the Government, and shall forever remain inviolate.

SEC. 17. No county office created by the Legislature shall be filled otherwise than by the people or the County Court.

SCHEDULE.

SECTION 1. That no inconvenience may arise from a change of the Constitution, it is declared that the Governor of the State, the members of the General Assembly, and all officers elected at or after the general election of March, 1870, shall hold their offices for the terms prescribed in this Constitution.

Officers appointed by the courts shall be filled by appointment, to be made and to take effect during the first term of the court held by Judges elected under this Constitution.

All other officers shall vacate their places thirty days after the day fixed for the election of their successors under this Constitution.

The Secretary of State, Comptroller, and Treasurer shall hold their offices until the first session of the present General Assembly occurring after the ratification of this Constitution, and until their successors are elected and qualified.

The officers then elected shall hold their offices until the fifteenth day of January, 1873.

SEC. 2. At the first election of Judges under this Constitution there shall be elected six Judges of the Supreme Court, two from each grand division of the State, who shall hold their offices for the term herein prescribed.

In the event any vacancy shall occur in the office of either of said Judges at any time after the first day of January, 1873, it shall remain unfilled, and the court shall from that time be constituted of five Judges.

While the court shall consist of six Judges they may sit in two sections, and may hear and determine causes in each at the same time, but not in different grand divisions at the same time. When so sitting the concurrence of two Judges shall be necessary to a decision.

The Attorney-general and Reporter for the State shall be appointed after the election and qualification of the Judges of the Supreme Court herein provided for.

SEC. 3. Every Judge and every officer of the executive department of this State, and every Sheriff holding over under this Constitution, shall, within twenty days after the ratification of this Constitution is proclaimed, take an oath to support the same; and the failure of any officer to take such oath shall vacate his office.

SEC. 4. The time which has elapsed since the sixth day of May, 1861, until the first day of January, 1867, shall not be computed in any cases affected by the statutes of limitation, nor shall any writ of error be affected by such lapse of time.

Done in convention at Nashville, the twenty-third day of February, in the year of our Lord one thousand eight hundred and seventy, and of the independence of the United States the ninety-fourth. In testimony whereof we have hereunto set our names.

JOHN C. BROWN, *President.*

John Allen,
Jesse Arledge,
Humphrey Bate,
Jno. Baxter,
A. Blizzard,
Nathan Brandon,
James Britton,
R. P. Brooks,
Neil S. Brown,
James S. Brown,
T. M. Burkett,
John W. Burton,
Wm. Byrne,
Alex. W. Campbell,
Wm. Blount Carter,
Z. R. Chowning,
James A. Coffin,
Warren Cummings.
Robert P. Cypert,
T. D. Davenport,
N. V. Deaderick,
G. G. Dibrell,
N. F. Doherty,
J. E. Dromgoole,
James Fentress,
A. T. Fielder,
P. G. Fulkerson,
John A. Gardner,
John E. Garner,
S. P. Gaut,
Charles A. Gibbs,
B. Gordon,
J. B. Heiskell,
R. Henderson,
H. L. W. Hill,
Sp'l Hill,
Sam S. House,
Jno. F. House,
T. B. Ivie,
Thomas M. Jones,
David N. Kennedy,
D. M. Key,
Sam J. Kirkpatrick,
A. A. Kyle,
Jos. A. Mabry,
A. G. McDougal,
Malcom McNabb,
Matt. Martin,
John H. Meeks,
Thos. C. Morris,
J. Netherland,
A. O. P. Nicholson,
Geo. C. Porter,
Jas. D. Porter, Jr.,
Geo. E. Seay,
Samuel G. Shepard,
E. H. Shelton,
Wm. H. Stephens,
John M. Taylor,
J. C. Thompson,
N. Vance Thompson,
James J. Turner,
Geo. W. Walker,
Richard Warner, Jr.,
N. H. Williamson,
W. M. Wright.

Attest: T. E. S. RUSSWURM, *Secretary.*

THOS. W. JONES, *Assistant Secretary.*
W. S. KYLE, *Second Assistant Secretary.*

Ordinance.

Section 1. *Be it ordained by the Convention,* That it shall be the duty of the several officers of the State authorized by law to hold elections for members of the General Assembly and other officers, to open and hold an election at the place of holding said elections in their respective counties, on the fourth Saturday in March, 1870, for the purpose of receiving the votes of such qualified voters as may desire to vote for the ratification or rejection of the Constitution recommended by the Convention, and the qualifications of voters in said election be the same as that required in the election of delegates to this Convention.

Sec. 2. It shall be the duty of said returning officers in each county in this State to enroll the name of each voter on the poll-books prepared for said election, and shall deposit each ballot in the ballot-boxes respectively. Each voter who wishes to ratify the new Constitution shall have written or printed on his ticket the words "New Constitution," or words of like import; and each voter who wishes to vote against the ratification of the new Constitution shall have written or printed on his ticket the words "Old Constitution," or words of like import.

Sec. 3. The election shall be held and the judges and clerks shall be appointed as in the case of the election of the members of the General Assembly; and the returning officers, in the presence of the judges or inspectors, shall count the votes given for the "New Constitution," and of those given for the "Old Constitution," of which they shall keep a correct estimate in said poll-books. They shall deposit the original poll-books of said election with the Clerks of the County Courts in the respective counties; and shall, within five days after the election, make out accurate statements of the number of votes in their respective counties for or against the "New Constitution," and immediately forward by mail one copy of said certificates to the Governor and one to the Speaker of the Senate. So soon as the poll-books are deposited with the County Court Clerks, they shall certify to the President of the Convention an accurate statement of the number of votes cast for or against the "New Constitution," as appears on said poll-books; and if any of said returning officers shall fail to make the returns herein provided for within the time required, the Governor shall be authorized to send special messengers for the result of the vote in those counties whose officers have so failed to make returns.

Sec. 4. Upon the receipt of said returns it shall be the duty of the Governor, Speaker of the Senate, and the President of this Convention, or any two of them, to compare the votes cast in said election; and if it shall appear that a majority of all the votes cast for and against the new Constitution were for "New Constitution," it shall be the duty of the Governor, Speaker of the Senate, and President of this Convention, or any two of them, to append to this Constitution a certificate of the result of the votes, from which time the Constitution shall be established as the Constitution of Tennessee, and the Governor shall make proclamation of the result.

Sec. 5. The Governor of the State is required to issue his proclamation as to the election on the fourth Saturday in March, 1870, hereto provided for.

John C. Brown, *President.*

Attest: T. E. S. Russwurm, *Secretary.*

GgovernorS of TENNESSEE FROM 1790.

1. William Blount, Territorial Governor, 1790–96.
2. John Sevier, 1796–1801.
3. Archibald Roane, 1801–03.
4. John Sevier, 1803–09.
5. Willie Blount, 1809–15.
6. Joseph McMinn, 1815–21.
7. William Carroll, 1821–27.
8. Samuel Houston, 1827 to April, 1829, when he resigned, and William Hall, Speaker of the Senate, became Governor, serving to October, 1829.
9. William Carroll, 1829–35.
10. Newton Cannon, 1835–39.
11. James K. Polk, 1839–41.
12. James C. Jones, 1841–45.
13. Aaron V. Brown, 1845–47.
14. Neill S. Brown, 1847–49.
15. William Trousdale, 1849–51.
16. William B. Campbell, 1851–53.
17. Andrew Johnson, 1853–57.
18. Isham G. Harris, 1857–63. Robert L. Caruthers was elected Governor in 1863, but on account of Tennessee being in possession of Federal troops, was unable to qualify. President Lincoln appointed Andrew Johnson Military Governor of Tennessee, who served from 1862 to 1865.
19. William C. Brownlow, 1865–69.
20. D. W. C. Senter, 1869–71.
21. John C. Brown, 1871–75.
22. James D. Porter, 1875–79.
23. Albert S. Marks, 1879–81.
24. Alvin Hawkins, 1881–83.
25. William B. Bate, 1883–87.
26. Robert L. Taylor, 1887–91.
27. John P. Buchanan, 1891–93.
28. Peter Turney, 1893–97.
29. Robert L. Taylor, 1897–99.
30. Benton McMillin, 1899–1903.
31. James B. Frazier, 1903–05.
32. John I. Cox, 1905-07.
33. Malcolm R. Patterson, 1907–11.
34. Ben W. Hooper, 1911–15.
35. Thos. C. Rye, 1915–19.
36. Albert H. Roberts, 1919–.

SECRETARIES OF STATE FROM 1792.

Daniel Smith, Territorial Secretary, 1792–96.
William Maclin, 1796–1807.
Robert Houston, 1807–11.
W. G. Blount, 1811–15.
William Alexander, 1815–18 (died).
Daniel Graham, appointed August, 1818, served till 1830 (resigned).
T. H. Fletcher, appointed September, 1830, served till 1832.
Samuel G. Smith, 1832–35.
Luke Lea, 1835–39.

John S. Young, 1839–47.
W. B. A. Ramsey, 1847–55.
F. N. W. Burton, 1855–59.
J. E. R. Ray, 1859–65.
E. H. East, appointed in 1862 by Andrew Johnson, Military Governor, served to 1865.
A. J. Fletcher, 1865–70.
T. H. Butler, 1870–73.
Charles N. Gibbs, 1873–81.
David A. Nunn, 1881–85.
John Allison, Jr., 1885–89.
Charles A. Miller, 1889–93.
W. S. Morgan, 1893–1901.
John W. Morton, 1901–09.
Hallam W. Goodloe, 1909–13.
R. R. Sneed, 1913–17.
Ike B. Stevens, 1917–.

COMPTROLLERS — OFFICE CREATED IN 1835.

Daniel Graham, 1836–43.
Felix K. Zollicoffer, 1843–49.
B. N. Sheppard, 1849–51.
Arthur R. Crozier, 1851–55.
James C. Luttrell, 1855–57.
James T. Dunlap, 1857–62.
Joseph S. Foster appointed by Andrew Johnson, Military Governor, 1862–65.
J. R. Dillin, elected 1865, failed to qualify, being a member of the Legislature that elected him, and ineligible.
S. W. Hatchett, 1865–66.
G. W. Blackburn, 1866–70.
E. R. Pennebaker, 1870–73.
W. W. Hobb, January, 1873, to May, 1873.
John C. Burch, May, 1873–75.
James L. Gaines, 1875–81.
James N. Nolen, 1881–83.
P. P. Pickard, 1883–89.
J. W. Allen, 1889–93.
James A. Harris, 1893–99.
Theodore King, 1899–1904.
Frank Dibbrell, 1904–13.
George P. Woolen, 1913–15.
John B. Thomason, 1915–.

TREASURERS FROM 1796.

The act of April 13, 1796, and territorial act of September, 1794, Chapter 9, provided for two District Treasurers, viz.: District of Miro, and District of Washington and Hamilton. Act of November 1, 1827, created the offices of Treasurer of Western District, at Jackson, Tennessee; Treasurer of Washington and Hamilton, or East Tennessee, at Knoxville; and Treasurer of Miro, at Nashville. The constitution of 1834 provided for one Treasurer for the state, to be elected by the legislature for two years.

Daniel Smith, Territorial Secretary, acted as Treasurer from 1792 to 1794.
Landon Carter, Territorial Treasurer of Washington and Hamilton, 1794–1800.
Howell Tatum, Territorial Treasurer of Miro, 1794–96.
William Black, Miro, 1796–97.
Robert Searcy, Miro, 1797–1803.
John Maclin, Washington and Hamilton, 1800–03.

Thomas McCorry, Washington and Hamilton, 1803–13.
Thomas Crutcher, Miro, 1803–13.
Thomas McCorry, East Tennessee (Washington and Hamilton), 1813–15.
Thomas Crutcher, Miro, 1813–36.
Matthew Nelson, East Tennessee, 1815–27.
Miller Francis, East Tennessee, 1827–36.
James Caruthers, Western District, 1827–36.
Miller Francis, State, 1836–43.
Matthew Nelson, State, 1843–45.
Robert B. Turner, 1845–47.
Anthony Dibbrell, 1847–55.
G. C. Torbett, 1855–57.
W. Z. McGregor, 1857–65.
R. L. Stanford, 1865–66.
John R. Henry, 1866–68.
W. H. Stillwell, 1868–69.
J. E. Rust, 1869–71.
William Morrow, 1871–77.
M. T. Polk, 1877–83.
Atha Thomas, 1883–85.
J. W. Thomas, 1885–86 (died).
Atha Thomas, 1886–89.
M. F. House, 1889–93.
E. B. Craig, 1893–1901.
R. E. Folk, 1901–11.
G. T. Taylor, 1911–13.
W. P. Hickerson, 1913–15.
Porter Dunlap, 1915–19.
Hill McAlister, 1919–.

SUPERINTENDENTS OF PUBLIC INSTRUCTION.

This office was created in 1835, abolished in 1843, re-created in 1865, provided for in the constitution of 1870, and again created in 1873.

Robert H. McEwen, 1836–40.
Robert P. Currin, 1840–41.
Scott Terry, 1841–43.
L. R. Stanford, 1865–67.
John Eaton, Jr., 1867–69.
A. J. Tipton, 1869–71.
John M. Fleming, 1873–75.
Leon Trousdale, 1875–81.
W. S. Doak, 1881–82.
G. S. W. Crawford, 1882–83.
Thomas H. Paine, 1883–87.
Frank M. Smith, 1887–91.
W. R. Garrett, 1891–93.
Frank M. Smith, 1893–95.
S. G. Gilbreath, 1895–97.
Price Thomas, 1897–99.
Morgan C. Fitzpatrick, 1899–1901.
Seymour A. Mynders, 1903–07.
R. L. Jones, 1907–11.
J. W. Brister, 1911–13.
S. H. Thompson, 1913–15.
S. W. Sherrill, 1915–19.
Albert Williams, 1919–.

STATE BOARD OF EDUCATION.

P. L. Harned, Chairman.

W. D. Cooper.
L. A. Ligon.
C. B. Ijams.
J. S. Zeigler.
J. L. Fowlkes.
W. L. Gentry.
F. R. Ogilvie.
T. W. Pease.

COMMISSIONERS OF AGRICULTURE.

The Bureau of Agriculture, Statistics, and Mines was established in 1854, the governor being *ex officio* president. E. G. Eastman was elected secretary and served to the war. By act of March 4, 1875, the office of Commissioner was created, and the department was established on its present basis.

J. B. Killebrew, 1875–81.
A. W. Hawkins, 1881–83.
A. J. McWhirter, 1883–87.
B. M. Hord, 1887–91.
D. G. Godwin, 1891–93.
T. F. P. Allison, 1893–97.
John T. Esserry, 1897–99.
Thomas H. Paine, 1899–1903.
W. W. Ogilvie, 1903–07.
John Thompson, 1907–11.
Thomas F. Peck, 1911–15.
H. K. Bryson, 1915–19.
F. M. McRee, 1919–.

ATTORNEYS-GENERAL.

The office of Attorney-General and Reporter for the State was created in 1831.

George T. Yerger, 1831–39.
Return J. Meigs, 1839 to November, 1839.
West H. Humphreys, 1839–51.
W. G. Swan, 1851–54.
John L. T. Sneed, 1854–59.
John W. Head, 1859 to the war.
Thomas H. Coldwell, 1865–70.
Joseph B. Heiskell, 1870–78.
Benjamin J. Lea, 1878–86.
George W. Pickle, 1886–1902.
Charles T. Cates, Jr., 1902–13.
Frank M. Thompson, 1913–.

JUDGES OF TENNESSEE FROM 1792.

1792. William Blount, Governor, David Campbell, and Joseph Anderson composed the Territorial Court to 1796.

1796. Act of April 9, 1796, established a Superior Court of Law and Equity, and provided for three judges for the state.

John McNairy, Archibald Roane, and Willie Blount were commissioned, on April 11, 1796, Judges of the Superior Court of Law and Equity for the state.
Howell Tatum (*vice* McNairy, resigned), 1797–98.
W. C. C. Claiborne (*vice* Willie Blount, declined), 1796–97.
David Campbell, 1797–1807.
Andrew Jackson, appointed September, 1798, and elected December, 1798, served to 1804.
Samuel Powell, 1807–09.
John Overton (*vice* Jackson), 1804–09.
Parry W. Humphreys, 1807–09.
Hugh Lawson White (in place of A. Roane), 1801–07.
Thomas Emmerson (*vice* White), 1807–09.

JUDGES OF THE SUPREME COURT OF ERRORS AND APPEALS.

By the act of November 16, 1809, a Supreme Court of Errors and Appeals was created, Circuit Courts established, and five judicial circuits erected; judges elected by the legislature to serve during good behavior. The following served as indicated: —

Hugh L. White, 1809–15.
George W. Campbell, 1809–11.
John Overton, 1811–16.
W. W. Cooke, 1815–16 (died).
Archibald Roane, added to the court October 21, 1815, served to 1818.
Robert Whyte (*vice* Overton), 1816–35.
John Haywood, 1816–26.
Thomas Emmerson, 1819–22.
Jacob Peck, 1822–35.
William L. Brown, added to the court in 1822, resigned July, 1824.
John Catron, 1824–35 (Chief Justice from 1831).
Hugh L. White was elected in 1824, but declined.
Thomas L. Williams was appointed *vice* White, but declined, and the legislature declined to fill the vacancy.
Henry Crabb, appointed, *vice* Haywood, in 1827 (died same year).
Nathan Green, 1831.

SUPREME COURT UNDER CONSTITUTION OF 1834.

Nathan Green, 1835–53 (resigned).
William B. Reese, 1835–47.
William B. Turley, 1835–50 (resigned).
Robert J. McKinney, 1847–63 (served till war discontinued courts).
Robert L. Caruthers, 1853–61.
W. F. Cooper, appointed in 1861 (served till war discontinued courts).
A. W. O. Totten (*vice* Turley), 1850–55.
William R. Harris, 1855–58 (died).
Archibald Wright, 1858–63 (served till war discontinued courts).
Russell Houston, from January 25, 1865, to August 24, 1865.
Samuel Milligan, from January 25, 1865, to January, 1867.
Henry G. Smith, from January 25, 1865, to January, 1867.
James O. Shackelford, from August 24, 1865, to 1867 (resigned).
Andrew McClain, 1867–70.
Alvin Hawkins, from June, 1867, to 1870.
George Andrews, from June, 1867, to 1870.

SUPREME COURT UNDER CONSTITUTION OF 1870.

T. A. R. Nelson, from 1870 to December 5, 1871 (resigned).
A. O. P. Nicholson, Chief Justice, from 1870 to March 23, 1876 (died).
J. W. Deaderick (Chief Justice, 1878–84), 1870–84 (died).
Robert J. McFarland (*vice* Nelson), from 1872 to 1884 (died).

Peter Turney (Chief Justice, 1886), 1870–93.
Thomas J. Freeman, 1870–86.
John L. T. Sneed, 1870–78.
William F. Cooper, 1878–86.
H. H. Lurton, 1886–93.
John S. Wilkes, 1894–1908 (died).
B. D. Bell (*vice* Wilkes), 1908–10.
W. C. Fowlkes, 1886–90 (died).
B. J. Lea, 1890–94 (died).
D. L. Snodgrass, Chief Justice, 1886–1902.
W. C. Caldwell, 1886–1902.
W. C. McAlister, 1894–1910.
W. D. Beard, Chief Justice, 1894–1910 (died).
John K. Shields (Chief Justice, 1910) 1902–13.
S. C. Williams (*vice* Shields), 1913–18.
M. M. Neil (Chief Justice, 1913), 1902–18.
A. S. Buchanan, 1910–18.

PRESENT SUPREME COURT.

ELECTED FOR EIGHT YEARS.

1. D. L. Lansden (Chief Justice, 1918), 1910–.
2. Frank P. Hall, 1918–.
3. Grafton Greene, 1910–.
4. Colin P. McKinney, 1918–.
5. Nathan L. Bachman, 1918–.

LIBRARIANS.

The office of State Librarian was created in 1854. Prior to that time the Secretary of State had been *ex officio* Librarian. See Chapter XXV.

Return J. Meigs, 1854–61.
John E. Hatcher, 1861–65.
A. Gattinger, 1865–69.
William H. Wharton, 1869–71.
Mrs. Paralee Haskell, 1871–79.
Mrs. S. P. Hatton, 1879–87.
Mrs. Sue P. Lowe, 1887–91.
Mrs. Linnie Williams, 1891–95.
Mrs. Irene Ingram, 1895–97.
Miss Pauline L. Jones, 1897–99.
Miss Jennie E. Lauderdale, 1899–1901.
Miss Lulu B. Epperson, 1901–03.
Miss Mary Skeffington, 1903–19.
John Trotwood Moore, 1919–.

STATE AUDITORS.

Office created by act of January 27, 1913.

George M. Clark, 1913–15.
Hays Flowers, 1915–18.
S. P. Anderson, 1918–.

LEGAL HOLIDAYS IN TENNESSEE.

(See Acts of 1889, Chapter 63.)

January 1, New Year's Day.
February 22, Washington's Birthday.
Good Friday.
April 26, Memorial Day.
May 30, Decoration Day.
July 4, Independence Day.
Thanksgiving.
December 25, Christmas Day.
All General Election Days.

INSURANCE COMMISSIONERS.

Office created by act of January 27, 1913. Prior to that time the duties had been performed by the State Treasurer.

J. Will Taylor, 1913–15.
W. F. Dunbar, 1915–17.
L. K. Arrington, 1917–.

SUPERINTENDENTS OF BANKS.

Office created by act of March 20, 1913. Prior to that time there had been no specific provision for official supervision of state banks.

John L. Hutton, 1913–15.
J. L. Emerson, 1915–18.
S. S. McConnell, 1918–.

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